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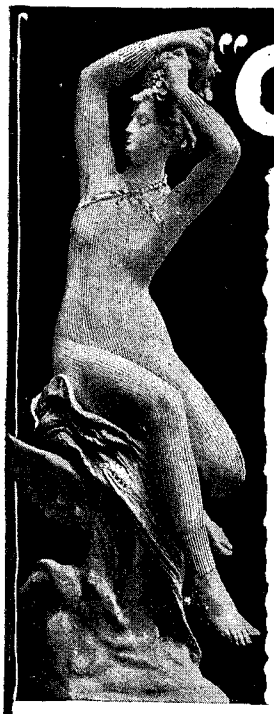

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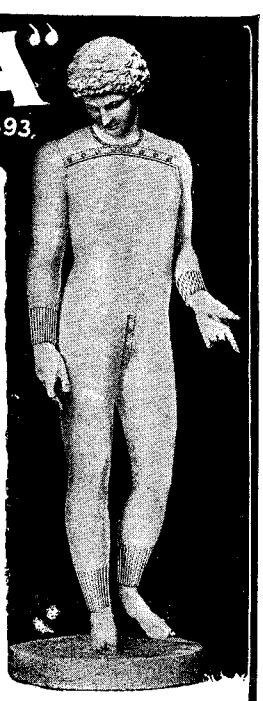

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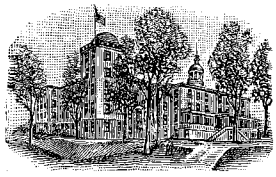
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According to the standard of the Insurance Department of the State of New York

INCOME.		ASSETS.	
Received for Premiums	$39,593,414 20	United States Bonds and other Securities,	$110,125,082 15
From all other Sources	10,109,281 07	First lien Loans on Bond and Mortgage	71,543,929 56
	$49,702,695 27	Loans on Stocks and Bonds	11,091,525 00
DISBURSEMENTS.		Real Estate	22,767,666 65
To Policy-holders for Claims by Death	$12,595,113 39	Cash in Banks and Trust Companies	12,680,390 00
To Policy-holders for Endowments, Dividends, etc.	12,842,456 11	Accrued Interest, Net Deferred Premiums, etc.	6,535,555 06
For all other Accounts	10,781,005 64		$234,744,148 42
	$36,218,575 14	Reserve for Policies and other Liabilities	205,010,633 72
		Surplus	$29,733,514 70
		Insurance and Annuities in force	$918,698,338 45

I have carefully examined the foregoing Statement and find the same to be correct; liabilities calculated by the Insurance Department. CHARLES A. PRELLER, Auditor.

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The Forum

SEPTEMBER, 1897.

A PLEA FOR THE NAVY.

THIS article proposes to give: (1) The present actual and relative naval strength of the United States; and (2) an opinion—by request of the Editor of THE FORUM—as to how much our Navy should be increased.

(1) The task of comparing the fighting efficiency of modern men-of-war is exceedingly difficult. In the days of sailing war-vessels—when types and classes of ships were fixed—the gun was practically the only weapon; and the measure of force was the weight of metal fired in one broadside. There was, of course, a difference in the power of resistance of vessels: frigates were of lighter scantling, and more lightly armed, than line-of-battle ships,—built of thicker timbers and having more power of resistance,—and whatever difference there was in the rapidity of fire of small and large guns was deemed to be amply compensated for by differences in the weights of projectiles.

There were differences too in the speed of ships. But the speed of a fleet is that of the slowest vessel in it; and as progress in those days often depended on the accidents of wind and weather, speed was not then taken into account as it is now, when vessels can go straight, and within a calculable period of time, to any given point. Sailing vessels could keep the sea for an indefinite length of time. Nelson hunted the allied French and Spanish fleets throughout the West Indies, and eventually brought them to bay at Trafalgar. There was no stopping then to coal, and, therefore, no question of endurance to be considered. Nor was there any thought of shell-power or of ram-power or of tor-

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pedo-power. Now, however, all these elements, and many others—such as the relative value of armor, of great guns, of rapid firing guns, draught of water, manœuvring power, economy of engines, etc.—must be carefully calculated, if any exact estimate is to be made of the relative efficiency of individual ships or fleets.

It scarcely needs saying that no effort to take into account such minute particulars—even if it were at all practicable—will be made in a paper like this.

Table No. 1* gives the numbers of ships of the different classes now built and building by the eight principal naval Powers of the world, in the order of their rank. It will be seen that according to this classification of vessels, which is sufficiently accurate for general purposes, the United States occupy easily the fifth place.

Table No. 2* is intended to serve the purpose of a more minute comparison. The method followed therein is to give not only the number of the different classes,—vessels building and built being here added,—but also displacements and certain ratios. "Displacement" is frequently called "tonnage"; but "tonnage," as used in the merchant service, signifies cubical contents according to certain rules of measurement. The displacement of a vessel is the number of tons of water displaced by the ship; and, it is a fair general measure of value, because in each ship, its constructor endeavors to introduce as much as possible of what is valuable in a vessel of the class and size in hand.

The character of a man-of-war is the result of compromises and adjustments between different elements of value; the designer being always limited by the weight he can put in for each purpose. Thus, roughly speaking, in a battle-ship, the weight allowed for armor determines the defensive power of the vessel; the weight of batteries, ammunition, and torpedoes, the offensive power; while the weight of coal and machinery determines the speed as well as the endurance—*i. e.*, the distance the vessel can steam without recoaling. If either great endurance or great speed is wanted in a battle-ship,—total weights having been fixed,—there must be a sacrifice of either offensive or defensive power, and *vice versa*. So in the construction of all ships of war. In cruisers, intended to be very swift, armor cannot be employed, nor can very heavy batteries be carried; and in an armored cruiser, intended to combine, as far as possible, speed, endurance, and fighting qualities, the armor and batteries are necessarily lighter than in battle-ships. Bearing these principles in mind, and remembering that the purposes intended to be

*The tables are shown at the end of the article.

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served by the several classes of vessels are practically the same in all navies, it will be readily understood that displacement is the best practical single measure of value, provided only that the same amount of ingenuity in devising, and skill in constructing, be employed in the ships compared.

In regard to Table No. 2, it is quite safe to say that displacement, as a gauge of efficiency, is by no means unfair to our ships. It is believed they will average in value, according to this standard, somewhat higher than the vessels of other navies, for the reason that we began our programme of construction after many of the ships listed in the other navies had been built; and it is not saying too much for our designers to affirm that they have shown themselves to be quite abreast of the times.

It will be observed that there is quite a difference in the average sizes of ships of the same class. Naval authorities differ as to whether it is better to distribute in battle-ships a given amount of fighting-power among a smaller or a larger number of vessels. Again, the size of cruising ships depends very largely upon the purposes for which they are designed. If intended to act as commerce-destroyers, they must be large enough to have speed and endurance; if to display the flag and protect commerce in times of peace, they must be small and of light draft, so as to be able to enter harbors and rivers where needed.

The figures in Tables 2 and 3 convey their own lessons. They show a remarkable consensus of opinion among naval authorities as to the relative values and possibilities of the different classes of ships. The proportions of the different classes of vessels are much the same in all navies. It is also evident, when we consider the immense cost of these vessels, and their numbers, that the naval authorities of all nations believe that the naval contests of the future, just as in the days of Nelson and Villeneuve, are to be decided by line-of-battle ships. It is clear too that every nation, with the apparent exception of the United States, has great faith in the efficacy of torpedo-boats. Our Congress has heretofore authorized but twenty-two of these boats,—most of them quite recently. Spain, it will be seen, has 27, Japan 48, and Germany 124. The ratios of our torpedo-boats to our battle-ships, and especially to our total Navy, show in a graphic manner how grievously deficient we are in this branch of the service.

For the purpose of a more minute comparison of our Navy with the Italian, next above us, and the German, next below us, there is given in Table No. 3 not only the number of vessels building and built, but

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also the average horse-power, average speed, and number of guns in main batteries, with their aggregate muzzle-energy.

As to battle-ships, it will be seen that we have two fewer than Germany, and four fewer than Italy; that the total displacement of our ships of this class is much less than that of Italy, and fairly above that of Germany; and similarly as to horse-power. In the main batteries of our battle-ships the number of guns is 182; in those of Germany, 270; of Italy, 241.

What does not appear in the tables is, that some of the Italian battle-ships carry 15- and 16-inch guns. With the exception of Great Britain, no other nation has guns equal in calibre to these. The British, not to be outdone, built a few guns as large as those in the Italian navy; but experience has seemed to show that they are unnecessarily large, at least for naval purposes. They are unwieldy, and apt to droop, and are believed to be deficient in endurance. The largest guns now being built by England and France are of about 12-inch calibre. After mature deliberation, our Department concluded to arm its latest battle-ships with 13-inch guns. The theory upon which our ships are constructed is, that they are probably to be used near home; and, therefore, with a displacement somewhat less than that of the English, French, and Italian battle-ships, the effort has been to give them more offensive and defensive power, thus making them fully equal in battle to the larger ships of those nations. To secure this increase of armor and armament, with less displacement, it was necessary to sacrifice somewhat of speed and endurance. It will be seen, therefore, that our battle-ships, though of a much later average date of design than those of Italy, have one knot less speed: they have, however, two knots more average speed than those of Germany.

The aggregate muzzle-energy of the guns of our battle-ships largely exceeds that of Germany, and, relatively to displacement, is considerably greater than that of the Italian batteries. This results not from any deficiency in armor,—in which we also excel the Italians,—but from our later and better guns.

Of armored cruisers we have 2 to Germany's 1 and Italy's 5. The average speed of ours is 21.5 knots, against 19 for Germany and 15 for Italy. The muzzle-energy of the batteries of the single German armored cruiser, however, is over 12,000, while the energy of the batteries of our 2 is under 15,000. Germany, in this ship, appears to have sacrificed two knots in speed, to obtain this increase of gun-power.

Compared with the Italian armored cruisers, not only is the speed

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of our vessels immensely greater, but the muzzle-energy also is relatively very much higher. Our great superiority in speed over the Italian vessels was secured by increased horse-power; the aggregate horse-power of our 2 vessels being 36,000 against 33,000 for the 5 Italian ships.

We show 20 coast- and harbor-defence vessels, against Germany's 17. These figures are somewhat delusive. Thirteen of these 20 are old iron monitors, all built in 1862. They have been carefully preserved; and, two years ago, most of them were fitted for service. But their engines are poor and of old designs; and their guns are old-fashioned and inferior. Their speed is only 5 or 6 knots; and, consequently, they bring down the average speed of our coast-defence vessels, as a class, to 10 knots.

We have fewer gun-boats and cruising vessels than either Germany or Italy; but ours average considerably larger than those of either of these nations, and are vastly superior to either in total horse-power, in average speed, and in number and muzzle-energy of guns.

Clearly in cruising vessels and gun-boats, our rank is decidedly over that of either Italy or Germany.

Besides the ships taken into account in the tables given, we have, like other naval Powers, vessels serving in the merchant marine that can be called or taken into service in the time of war. The "New York," the "Paris," the "St. Louis," the "St. Paul," and other ships carrying mail to foreign countries are now in the pay of our Government, and can be called in at short notice. These we denominate our Auxiliary Navy. Other ships, not under pay,—coastwise-going vessels, pleasure-yachts, etc.,—such of them as could be made useful in war, we speak of as our Reserves. Swift merchant vessels,—those that could overtake most of the ships afloat and get away when necessary from vessels of superior strength,—properly manned and armed, would be very useful in war. The Navy Department keeps itself thoroughly informed as to the military values of all the ships that fly the American flag, or belong to American citizens; and it has been making strenuous efforts for some years past, with some success, to get money to provide outfits for such ships. Much, however, remains to be done in this direction. We should have guns, ammunition, and torpedoes for all available vessels.

If we but had, as other nations have, a full supply of arms and ammunition for all possible reserve ships, we could, in case of war, safely call our Reserve Navy superior to that of any other country,

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except Great Britain. Should we come to war with the latter Power, both parties would seek to possess the great lakes; and unless the British should be able to send ships through the St. Lawrence Canal, —which would at once be a question,—the battles would be fought out between merchant-vessels. We have on the lakes only one naval ship, the "Michigan," which is old and of low grade; and the British have merely its estimated equivalent. By treaty arrangement long subsisting, neither country can increase its naval force in those waters. There is now and then a demand in certain quarters for the annulment of this agreement. The writer would say, "Let it stand!' It tends to keep the peace; or rather, its abrogation, and the arming on the lakes that would follow, would tend to a breach of the peace. Furthermore, the arrangement as it stands is to our interest. A careful study of the situation shows that, if only we had, as Great Britain certainly has, arms and equipments ready for all available vessels, the advantage would be overwhelmingly with us on every lake, excepting Lake Ontario,—as to which there may be reason for doubt.

If we should know that we were always to be at peace with all the naval Powers of the world, it would be quite easy to say how large our Navy should be. We should, in that case, want only such cruising vessels and gun-boats as would be needed to look after our interests in countries where revolutions are frequent, and local laws and the rights of foreigners are not always regarded. But the millennium is not yet; so some comparisons of naval strength have been deemed necessary.

We may now inquire what interests we have that might possibly need the protection of a navy, and what facilities our conditions, geographical and commercial, would afford to an enemy for an attack by water. We may then form some opinion as to (2) how much the United States Navy should be increased.

The United States have over 3,000 miles of sea-coast, excluding Alaska. We have more population and more wealth in cities by the sea than perhaps all the other nations of the world together. The statistics of our coast-wise commerce are wanting; but our Commissioner of Navigation estimates that we have more water-borne traffic than even the United Kingdom of Great Britain. It is often said that others do our carrying, and that we have but a small merchant marine. Excluding our shipping upon the great lakes and Western rivers, the registered, enrolled, and licensed American vessels, carrying to and from our Atlantic, Gulf, and Pacific coasts,—some to foreign and the rest to home ports, and all subject to attack by foreign ships of war,—foot up

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a tonnage of 3,104,000 tons; while, according to the latest available figures, Russia, Germany, and Italy have an aggregate tonnage, coastwise-going ships included, of only 2,768,000 tons. If we now count in our vessels on the great lakes, we have a total American tonnage,—Western-river commerce still excluded—of 4,428,000 tons, which is far more than the total mercantile marine of Russia, Germany, Italy, Japan, and Spain; and excluding Great Britain and the United States, these five nations are, as we have seen, the greatest naval Powers of the world. A naval war, therefore, would be a serious matter for our country, and particularly because, the United States having refused long ago, at the Paris Conference, to consent to the abolition of privateering, the right to issue letters-of-marque and reprisal to private vessels to prey on an enemy's commerce still exists as against us in favor of all the other Powers of the world. What would become of our foreign carrying trade and our vast coast-wise traffic, if an enemy should commission a lot of swift vessels to hover along our coasts from Machias to Galveston, or from San Diego to Puget Sound?

As to our cities by the sea, it should be remembered that they are now, for the most part, in no better condition to be defended against attacks by water than they were during the Civil War; and that the harbor defences of that day were not equal to the ships and guns then brought against them. The war-ships and guns of to-day are infinitely better than those of 1861–5.

It thus appears: First, that we have more property on shore assailable from the water than any other nation; second, that we have more property (commerce) afloat and assailable by navies than any other nation; and third, that, excepting Great Britain, we have more merchant ships afloat on the ocean (great lakes included) than the five greatest naval Powers of the world combined.

Taking these conclusions as postulates, and considering them in connection with the tables we have examined, it seems to follow that our navy should be further increased, unless the opponents of such increase can establish the single proposition that we are never to have any more wars with naval Powers. They cannot admit the possibility of war, and contend that we can prepare for it when in sight. Many nations act unwisely: but none would be so Quixotic as to give us notice and wait until we had prepared for a contest; and a modern naval war would be over in less time than it takes to build a single gun-boat.

The whole argument against an increase of the Navy must there-

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fore rest upon the impossibility of war; and it is usually put thus: No nation would dare to attack us, the United States of America; and if we shall, as we mean to do, cultivate peace and honest commerce with all the peoples of the earth, we shall never have cause to initiate war.

This reasoning assumes, among other things, that all nations are wise and prudent. If we should concede—what cannot be established—that the rulers of nations are always prudent, and that individually they always estimate wisely their own relative military strength, it must nevertheless be admitted that public sentiment, which, after all, dominates now and then even kings and emperors, is not always so wise as it should be.

It is not a great many years since the people of Portugal were demanding a declaration of war against Great Britain; and it was for a time doubtful whether the King could resist the clamor. It was public sentiment in France that brought on the Franco-German war. The French Emperor was loath to begin hostilities; but the campaigns of Napoleon I over the Rhine were in the air. Napoleon III issued his proclamation; and in a few weeks he was a prisoner of war at Sedan. King George of Greece certainly knew—from the standpoint of prudence and wisdom, which we are assuming for rulers—that Greece could not whip Turkey. Perhaps he hoped for the intervention that never came, or came too late. But, however that was, the spirit of Salamis and Thermopylæ dominated the Greeks; and, desperate as were the chances of war, the chances that the King's crown could survive a revolution were more desperate still. War was declared; and we know the result.

To come nearer home. No one can affirm with certainty, what is to be the outcome of the Cuban revolution. There is much evidence to show: That the Spanish populace are as thoroughly determined not to give up Cuba as were the Greeks recently to succor their fellow-Christians in Crete; that to acknowledge its inability to overcome the rebellion unaided would endanger the present dynasty; and that, as a last resort, the Spanish government, to save itself, would declare war against us, preferring to lose the island—if at all—only after a brave struggle with the hated Americans. In Spain too, as in Greece, there would be the hope of intervention.

If the Franco-German and the Greco-Turkish war — instances which might be indefinitely multiplied—show the power of the people even in monarchical countries, what shall we say of the influence of public sentiment in our own country; and who shall aver that we

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can always count on conservatism in our future councils of state? That we are sensitive, high-spirited, and warlike, goes without saying; and it would be an interesting task to show, from past history, that our people, more than any other, are controlled by sentiment. One instance however will suffice. Where was the conservatism or prudence of the Anti-Slavery party or the Secessionists—those who created the conditions that led to our Civil War? It was non-existent on either side. The characteristics that brought on and carried on that great struggle still exist. The pride of our people in themselves, North and South, was intensified by that conflict. It is not declamation, but the plain statement of a patent fact, to say that the people, North and South, now that they are thoroughly united under homogeneous institutions, feel a common pride in the courage displayed on both sides in the Civil War, and that an opportunity to make common cause against a public enemy would meet a widespread welcome.

Public sentiment in America never was so united; nor was it ever prouder or more sensitive than it is to-day. A spark can kindle a conflagration among us at any moment. Look at the unanimity with which Congress and the people sustained President Cleveland's Venezuela Message; and at the utterances of the people, the press, and the United States Senate on the Cuban question. The House too, no doubt, would have adopted the resolution recognizing the belligerent rights of the Cubans, if it had been able to reach a vote. On the Cuban question, administrations—upon which so much of responsibility rests—have so far been, and are likely hereafter to be, more conservative than Congress. But who is there to affirm that Presidents will always resist the demands made upon them for warlike measures. President Madison naturally hesitated in 1812 to declare war against Great Britain. The odds were fearful; but the war party compelled him, just as it compelled Napoleon III in 1870, King George of Greece in 1897, and as it might compel Spain in the near future, to a declaration of war.

And here it may be as well to answer the argument that a larger navy would only be a greater inducement to war. "Jingoism" is not a matter of calculation, but of sentiment. Warlike Congressmen, as the "Congressional Record" shows, are not necessarily friends of an increased Navy. And so of our people. Prudence with them is undoubtedly "a rascally virtue." Adverting again to our Civil War, it was only a woful minority on either side that stopped to count the cost when that great struggle was approaching. So it certainly would be if a foreign nation should give us cause for war. Pre-

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paredness on our part will simply suggest to other nations that they must not give us cause of offence.

It is further to be considered that in the always varying relations of states, and of their citizens and subjects toward one another, new questions of dispute are constantly arising. In case of a naval war between two or more great naval Powers, difficulties as well as opportunities for us will almost certainly come. We have trade relations with all the world. We furnish many articles which are absolutely contraband of war; and others, as coal and provisions, which are sometimes contraband and sometimes not. A blockade may be sometimes effective and justify confiscation of vessel and cargo, and sometimes not. We should always be able to protect our commerce instantly, and see that such questions are not decided wrongfully to our detriment. We cannot afford to be in the condition we occupied during the Napoleonic era, when Great Britain and France, under orders in council and the Berlin and Milan decrees, warred on our commerce until we were compelled at last, in sheer desperation, to fight first the one and then the other. We saved our honor by the war of 1812; but irreparable injury had been done us before we took up arms to prevent it. The prime cause of offence to France and England during their wars was, that much of the commerce that each was seeking to destroy sought refuge under our flag. That is precisely what would happen again under like circumstances. A great opportunity would be ours to get back a large share of the carrying trade of the world,—a contingency dependent only upon our ability to protect the commerce that would seek the shelter of our flag. To realize from such conditions, we shall need only such a navy as will be, beyond question, sufficient to turn the scales of battle, if we should be forced into the contest. With such a navy, our rights would be promptly respected wherever our flag appeared.

This article would not be complete without glancing at what is possible, though it is hoped not probable,—a conflict with Japan, arising out of conditions in Hawaii. We have in Pacific waters, our Asiatic fleet, with six cruisers and gun-boats, and our Pacific fleet, with one battle-ship, two monitors, and four cruisers and gun-boats; forming together a fleet not equal to that which Japan could concentrate.

Besides the ships shown in table No. 1, Japan has recently bought and has now in English waters two first-class 12,000-ton battle-ships rated at nineteen knots, the "Fuji" and "Yashima," and also, still more recently, two 9,500-ton armored cruisers now being constructed by Armstrong at Elswick, England. The "Fuji" and "Yashima" could

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coal sooner at intervening ports and steam more rapidly than our larger fleet, which could only go at the speed of the slowest vessel. Suppose we should not wish to risk the unequal fight. If we decided we could afford, in view of possible trouble with Spain, to strip our Atlantic coast, we should probably not send reinforcements by the Suez Canal, because, first, the Canal would be difficult for our deepest-draught vessels, and it might not be open to us after a declaration of war; and, second, we might not be permitted to coal at the English ports, which alone are available. If we should leave the defence of the Atlantic to the monitors and smaller cruisers, and start around South America with the "New York," "Indiana," "Iowa," "Chicago," "Minneapolis," "Maine," "Massachusetts," "Texas," "Columbia," and "Newark," we should coal at Santa Lucia, Pernambuco, Punta Arenas, Callao, and Acapulco. And if the fleet sailed from the latter port straight to Honolulu, it would reach there with almost empty coal-bunkers, having sailed 15,604 miles in ninety-seven days after leaving New York.

Japan could move her home fleet, consisting of 5 armored ships, say 6 cruising gun-boats, 6 torpedo gun-boats and 8 protected cruisers, 3,339 miles to Honolulu in sixteen or seventeen days; and her two new first-class 19-knot 12,000-ton battle-ships, the "Fuji" and "Yashima," now in English waters, could reach Honolulu long before our reinforcements could arrive. If we sent our ships by the Suez Canal, the distance would be practically the same,—15,552 miles, by the shortest route. We could not, by either route, concentrate so soon as Japan, and would therefore be compelled to decline battle and give up the islands, until our reinforcements should arrive; or else the conflict for the possession of Honolulu would be over before our Atlantic fleet could get there.

If we annex Hawaii, we must add largely to our Pacific fleet. We cannot otherwise defend this outpost, 2,000 miles from our present boundaries.

And now a word as to the value, from a naval standpoint, of the Nicaragua Canal. In the case of an enemy having a naval force in but one of the oceans, the Canal might sometimes be of great value. It would afford opportunity, when we were more alert and better situated than the enemy, to concentrate our Atlantic and Pacific fleets. But with an enemy having fleets in both oceans, it would afford him the same opportunity,—unless we should control the Canal, and keep it always defended by forts and men. To maintain this control, being without overland communications, we must have a Navy large enough

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to fight its way to those forts through hostile squadrons. Any extension of our dominion to either the Isthmus of Panama or Hawaii must necessitate an increase of our navy.

Regardless, however, of any question of territorial extension, it seems to me that we should add to the number of our battle-ships and build many more torpedo-boats.

This does not imply that due weight should not be given to the fact that we are far the most powerful nation on this continent; that we are nearly three thousand miles distant from Europe; that any European Power detaching a fleet to attack our coast or to raid our commerce must watch its rivals near by; and that our purpose is and should be peace with all the world.

On the other hand, we must remember that naval power is not an abstract, but a relative quantity; that we cannot shut our eyes to what other nations are doing; that no human prescience can foretell the circumstances or the quarters from which wars may come; that we have more ships that need protection than any nation but one; that our ports, our shipping, and our ever-widening commerce are subject to attack; and that, with modern ships, naval wars will come and go almost like the lightning's flash. We should be able to command our peace and protect our rights at all times.

Certainly it would not be too much to add, say, six more battle-ships to our Atlantic fleet and half as many to the Pacific. And seventy-five torpedo-boats would not be an undue addition to this class of our vessels. These, it is believed, should be built during a programme of some five years,—two battle-ships and about fifteen torpedo-boats to be laid down each year.

It is always advantageous to lay down a naval building programme extending through a series of years. The manufacture of ships, engines, guns, torpedoes, requires the highest class of skilled laborers. And every consideration of economy and efficiency requires that, once assembled, such laborers should be kept together. Germany—my recollection is—once had a ship-building programme extending through ten years; but Great Britain has maintained among nations the most continuous and orderly system, and so has attained the greatest relative economy and efficiency in the construction of ships.

Let me say, in conclusion, that all classes are interested in maintaining the efficiency of our Navy,—above all, farmers. Their crops form the bulk of our exports; their surplus must seek, and must be protected while it seeks, the markets of the world. HILARY A. HERBERT.

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TABLES ACCOMPANYING MR. HERBERT'S ARTICLE, "A PLEA FOR THE NAVY."

TABLE NO. 1.

CLASS OF VESSEL.		Great Britain.	France.	Russia.	Italy.	United States.	Germany.	Japan.*	Spain.
Battle-ships	Building	14	6	7	2	5	2	1	..
	Built	48	30	16	13	6	11	4	3
	Total	62	36	23	15	11	13	5	3
Armored Cruisers	Building	..	2	2	4	..	1	..	2
	Built	13	6	8	1	2	..	4	9
	Total	13	8	10	5	2	1	4	11
Coast and Harbor Defence.	Building	..	..	4	..	..	2	..	..
	Built	14	16	11	..	20	17	1	1
	Total	14	16	15	..	20	19	1	1
Protected Cruisers	Building	14	7	..	3	..	5	4	..
	Built	105	34	13	16	13	14	11	5
	Total	119	41	13	19	13	19	15	5
Gun-boats and lightly protected Cruisers	Building	2	..	..	..	6	2	..	..
	Built	63	41	24	9	14	14	14	19
	Total	65	41	24	9	20	16	14	19†
Despatch-boat	Building	..	..	..	..	..	..	..	..
	Built	2	1	..	6	1	3	..	2
	Total	2	1	..	6	1	3	..	2
Torpedo Gun-boats	Building	..	5	1	2	..	2	..	3
	Built	31	15	8	15	..	10	6	10
	Total	31	20	9	17	..	12	6	13
Torpedo-boats and Destroyers	Building	..	..	..	..	14	..	..	..
	Built	..	..	..	..	8	..	..	..
	Total	238	228	204	168	22	124	48	27

* Since this table was compiled, Japan has ordered one battle-ship and projected another.

† Also 64 Cuban Gun-boats of 200 to 300 tons displacement.

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TABLE NO. 2.

NATION.	BATTLE-SHIPS. Built and Building.		ARMORED CRUISERS. Built and Building.		CRUISING VESSELS. Built and Building.		Total Displacement.	TORPEDO-BOATS AND DESTROYERS. Built and Building.		Ratio of battle-ship displacement to torpedo-boat displacement.	Ratio of total displacement to torpedo-boat displacement.
	Number.	Disp't.	Number.	Disp't.	Number.	Disp't.		Number.	Disp't.		
Great Britain	62	678,279	13	86,260	217	650,738	1,415,277	238	28,651	24	49
France	36	337,429	8	63,540	103	243,568	644,537	228	16,583	20	39
Russia	23	207,897	10	77,472	46	62,897	348,266	204	12,929	16	27
Italy	15	162,529	5	25,978	51	82,532	271,039	168	11,246	14	24
United States	11	112,896	2	17,471	33	86,398	216,765	22	3,075	37	70
Germany	13	103,593	1	10,650	50	75,818	190,061	124	14,550	7	13
Japan	5	59,600	4	9,309	35	61,168	130,057	48	3,051	20	43
Spain	3	24,455	11	65,220	39	52,607	142,282	27	3,739	7	38

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TABLE No. 3.

CLASS OF VESSEL.	Particulars.	United States.	Germany.	Italy.
Battle-ships.....	Building.....	5	2	2
	Built.....	6	11	13
	Total number.....	11	13	15
	Total displacement.....	112896	103593	162529
	Total horse-power.....	110155	98174	190681
	Average speed in knots.....	17	15	18
	Guns, main battery.....	182	270	241
	Muzzle-energy, foot-tons.....	1924466	1492070	2181864
Armored Cruisers	Building.....	.. ..	1	4
	Built.....	2	.. ..	1
	Total number.....	2	1	5
	Total displacement.....	17471	10650	25978
	Total horse-power.....	36170	14000	33293
	Average speed in knots.....	21.5	19	15
	Guns, main battery.....	38	26	74
	Muzzle-energy, foot-tons.....	148562	123960	162370
Coast and Harbor Defence.....	Building.....	.. ..	2	.. ..
	Built.....	20	17	.. ..
	Total number.....	20	19	.. ..
	Total displacement.....	53759	40399	.. ..
	Total horse-power.....	26066	45549	.. ..
	Average speed in knots.....	10	12	.. ..
	Guns, main battery.....	56	123	.. ..
	Muzzle-energy, foot-tons.....	604470	436906	.. ..
Cruising Vessels and Gun-boats..	Building.....	6	7	3
	Built.....	27	31	31
	Total number.....	33	38	34
	Total displacement.....	86398	71512	68303
	Total horse-power.....	182997	127552	143728
	Average speed in knots.....	16	14	15.6
	Guns, main battery.....	285	270	202
	Muzzle-energy, foot-tons.....	705602	434942	519493
Torpedo Gun-boats	Building.....	.. ..	.. ..	.. ..
	Built.....	.. ..	.. ..	.. ..
	Total number.....	.. ..	12	17
	Total displacement.....	.. ..	4306	14229
Torpedo-boats and Destroyers....	Building.....	14	.. ..	.. ..
	Built.....	8	.. ..	.. ..
	Total number.....	22	124	168
	Total displacement.....	3075	14550	11246

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ALASKA AND THE NEW GOLD-FIELD.

As a preliminary to a clear conception of the conditions in the Yukon district, it is necessary to understand the climatic and topographic features of the adjacent region. These are far less uniform than they are generally supposed to be.

North of Puget Sound, the mountain-ranges—differentiated as the Coast range, the Olympics, the Cascades, etc.—are succeeded by a wide belt of mountainous country not differentiated into extensive or continuous ranges. The western margin of this belt is partly submerged; the narrow valleys becoming intricate arms of the sea, protected for hundreds of miles from the ocean surges by an almost continuous barrier of densely wooded, rocky islands. The steep sides of these islands rise to irregularly broken peaks, whose higher summits reach a fairly uniform height of two thousand five hundred to three thousand feet above the sea-level. The archipelago has an average width of some fifty miles; the narrow, deep, navigable channels extending from Puget Sound to the head of Lynn Canal.

Eastward, the more elevated continental region preserves the same characteristics. In British Columbia, where the width of the belt is greatest, it has been aptly termed a "sea of mountains." This extends, parallel with the general trend of the coast, northward and westward; forming a confused mass of short ranges, drained by narrow valleys, the waters of which, gathered into a few torrential rivers, are carried through rocky cañons to the sea.

Advancing northward, the valleys gradually widen, at the expense of the mountainous area; the latter assuming a greater regularity of trend, and forming more continuous ranges. The axis of elevation comes nearer to the coast; and the height of the mass, as measured by its higher peaks, is greatly increased. It reaches a maximum of over 19,000 feet in the vicinity of the one hundred and forty-first meridian west of Greenwich, where it is known as the St. Elias Alps.

The head-waters of the Yukon lie deep among the northern portions of the British-Columbian mountains; reaching to within forty miles of the continental coast. Here the valleys are narrow, the

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streams often widening to form long and narrow lakes, obstructed by rapids and other impediments to navigation. The borders of the water-courses are usually wooded with spruce, willow, and poplar of moderate size. Elsewhere the land is covered with a dense growth of grasses, or with a thick and elastic blanket of moss. The southern group of streams meets the northeastern group near Fort Selkirk. Here the last serious obstruction to navigation is passed; and then the noble river flows, as the Yukon, some two thousand miles to Bering Sea.

Below Fort Selkirk, the Yukon cuts its way obliquely through the mountains, forming a moderate cañon known as the "Upper Ramparts." Emerging from this cañon it enters a wide expanse of tundra—wet and grassy prairie,—where it becomes tortuous, and broad, and entangled in a myriad of low and sandy islands. Fifty miles further down, the tundra comes to an end, and the Yukon enters the second cañon, or "Lower Ramparts," which extends some forty miles. Below this, with low mountains, hills, or bluffs on its right bank, and a wooded expanse of lowland—the Kaíyuh Valley—on the left, the Yukon pursues its uneventful way to the vast grassy plains and sandy sloughs of the delta.

The gold belt of the North Pacific, speaking in general terms, is coincident, though not entirely coëxtensive, with the mountainous region above described; and access to it, in the Yukon district, is had by way of the Yukon or the passes leading to its head-waters.

The climate of the Yukon district is quite different from that of the adjacent coast. The islands of the British-Columbian and Alexander archipelagoes, as is generally known, have a mild and wet climate, a mean annual temperature of about 42° Fahr., and a winter more stormy, but hardly colder, than that of Washington, D. C. Even the treeless Aleutian Islands, far to the westward, participate in this moderation of temperature and excess of moisture. The transpacific easterly drift, which, on the northwest coast, represents what is left of the Japan current, after crossing the Pacific, brings with it fog and rain. The immediate coast and islands are continually moistened, and, therefore, covered for the most part with a vegetation comparable in density with that of many tropical forests. The low level of the peaks carries few of them above the snow-line in summer, so that the conditions for glaciers are wanting.

On the continental shore, in the same latitude, the additional height supplies the factor deficient on the islands; and here are developed the glorious glaciers whose fame has spread over all the civilized world. Farther westward the towering heights of the St. Elias Alps and the

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Fairweather range are the sources of glaciers far surpassing those of the archipelago; but to these the tourist has not made his way.

A marked distinction of the Alaskan fjords, lies in their topography. In the latter cases the ice-cap was deep enough, or long-lived enough, to grind off the surface of the seaward island; leaving only subdued contours of rounded or polished, little-elevated rock. In Alaska, whatever the cause, the result has been to scour the channels in the narrow valleys; heaping a few moraines here and there, but leaving in all their rugged grandeur the craggy walls and splintered pinnacles. In consequence, we have in this region a finer type of scenery than either Maine or Norway commonly affords, and a barrier against access to the interior far more difficult to cross. The rainclouds and fog-laden winds are thus arrested on the verge of the continent. Once over the range, one enters a radically different climate.

As far as rainfall is concerned, the Yukon district is almost arid. If it were not in the far North, where congelation holds in its firm grip almost all the undrained rainfall, the region would be a desert. Including the melted snow, less than thirteen inches of water are recorded as falling during an entire year,—but little more than on the arid plains of Nevada. The immense volume of the Yukon in spring is derived from the melting snows of many thousand square miles. The freshet begins about May 20; and by the middle of July, as a rule, the snow has disappeared even from the mountain-tops.

The great river now shrinks to its main channel; its level in the cañons sometimes falling as much as seventy feet below that of the freshet: it is still deep enough, however, for steamer navigation. As the frosts of mid-September lock the rills and streamlets, a further shrinkage begins, and the water of mid-winter fills but a fraction of the September channel. The snows are light and fleecy; lying, in March in the depths of untroubled woods, as deep as six feet on the level: as the snow becomes compacted, it falls to about three feet. A light haze—hardly a fog—is not uncommon in summer. There are light showers, but no thunderstorms or heavy rains; and very high winds are rare.

As regards temperature, the winters may be compared to those of Canada and Minnesota. The air is crisp and cold, with occasional blizzards: for the latter, the Russians long ago coined the name "poorga." The mid-winter temperature may average thirty degrees below zero (Fahrenheit): in two winters, minus 68° was the coldest observed with standard instruments. More extreme statements are probably derived from inaccurate thermometers. With the light deerskin clothing and

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native boots containing a non-conducting sandal of dry grass, these temperatures are quite bearable. Few, if any, complaints of cold feet or hands are remembered; and the writer wore a pair of ordinary blue army trousers without discomfort during two winters.

Ordinary woollen clothing for the body, and leather boots for the feet, are of course utterly unsuitable, and can be worn only at serious risk when travelling. Indian snow-shoes are essential: the Norwegian variety proved worthless.

As the season advances the snow settles; and at night a firm crust forms. The most favorable months for travelling are March and April. The mid-winter days are short, with sunlight in some latitudes from ten in the morning to three in the afternoon. When necessary, one can travel fairly well by star-light and moon-light over the snowy tundra, but not in the woods. In May, the snow is wet and heavy, and travel, difficult. Pools of water and the first mosquitoes then begin to appear. By May 20, the river bursts its bonds of ice, and floods the lowlands; ice, débris, and broken timber pouring, with a grinding noise, headlong toward the sea. For at least a week, navigation is impossible.

Summer, swift-footed, trips upon the heels of winter. The sun pours down with a violence not soon forgotten, though in the shade it is always cool. The cry of the brant, northward bound, is continually heard; and myriads of smaller water-fowl appear on every hand. All the minor forms of life, native to the region or migrants from the south, with startling suddenness, people the copses and pervade the air. Vegetation springs into leaf and flower at a bound; and, with hardly a hint of spring, summer is upon us.

Mosquitoes, the pest of the North, appear in clouds. Except in mid-stream, or where a brisk breeze is blowing, life without a net and leather gloves is misery. The Indians smear their faces with a mixture of grease and charcoal, and paddle with a smudge on a square of turf in the bows of their birch canoes. The caribou, moose, and bear, driven from the thickets, plunge into the river, for a temporary respite. Curiously enough, during three summers, black flies and midges, so plentiful to the eastward, were encountered only once on the Yukon: possibly, near its head-waters, our luck would have been worse.

The records show that the lower Yukon valley has a summer temperature much in excess of that normal to the latitude. As the days are long, the traveller will prudently sleep at noon, and utilize for his work the cooler hours when the sun sweeps low along the northern horizon and the mosquitoes are less active.

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Frosts appear in mid-September. Early in October, the Yukon begins to be covered with ice; though it is not fully ice-bound until late in November. So the round is completed.

In July, the salmon begin to run. There are several species; only one or two, however, reaching the upper waters of the river, nearly two thousand miles from the sea. There is no fishing with hook and line. The salmon does not take the fly; and even the grayling, found in the smaller streams, refuses the lure. Fish, abundant in the lower river, scarcer by degrees as the stream is ascended, are taken in nets or traps. Both in summer and in winter, they form the greater part of the native food-supply. They comprise, beside the salmon, whitefish of seven species, the burbot, suckers, and salmon trout. The ptarmigan, arctic rabbit, and polar hare, the caribou, moose, black and brown bears, offer the chief supplies of game. They are, however, very irregularly distributed,—some districts, especially on the upper Yukon, being almost destitute of the larger animals. The annual migration of water-fowl—particularly of ducks and geese—tides over a part of the year when other game is scarce and there is no fishing; but the upper Yukon receives a very meagre proportion of the migrants.

Many years ago gold was known to exist on the Yukon. The Hudson Bay Company's men tested the bars of the main river, and found "the color," but not in sufficient quantity to warrant working. The reason is, that, in the disintegration of the rocks by the smaller streams and the action of frost and melting snow, the metallic burden of the waters is dropped in the causeway of the smaller tributaries; only the finest float gold and the lighter sand and gravel being carried as far as the Yukon itself.

In 1880, after years of fruitless search on the main stream, a body of prospectors under the protection of Captain (now Admiral) Beardsley, U.S.N., landed at the head of Lynn Canal, crossed the divide, and proceeded to explore the head-waters. Not much being found at first in Canadian territory, the prospectors descended the river to the region near the lower end of the Upper Ramparts. In this region lies the boundary, formed by the one hundred and forty-first degree of west longitude from Greenwich. Here the Yukon receives from the southwest a tributary called Forty-Mile Creek. A few miles of the lower part of this creek, including its mouth, are on the Canadian side of the line: the head-waters—on which the gold is chiefly found—are, for the most part, on the American side. In this vicinity the first substantial deposits were discovered, many of which are still worked. A mining

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camp, under Canadian jurisdiction, has been established at the mouth of Forty-Mile Creek. It has had for several winters a large population.

Near the junction of the Porcupine and Yukon, a few miles below the site of Fort Yukon, visited by the writer in 1867, is the mouth of Birch Creek,—a tributary from the south and east. On the upper waters of Birch Creek,—nearly parallel with the Yukon and wholly in American territory,—valuable placers were found. About half-way between the boundary and Fort Yukon another camp, known as Circle City, has grown up: from this, by a short portage, the head-waters of Birch Creek are reached.

The site of the new diggings—which have produced an excitement recalling the "Fraser River rush" of 1857—is on a stream tributary to the Yukon from the northeast, wholly in Canadian territory, and entering the main river about fifty miles eastward from the boundary. Here a mining camp, called Dawson City,—after the head of the Dominion Geological Survey,—has been established; which, by the ensuing winter, will doubtless have a population of several thousand.

The stream above referred to has been named the Klondyke,—signifying "reindeer": on some of the older maps it is designated Reindeer River. It is said however that the name should really be Throndak,—a Tinneh term meaning "plenty of fish." The existence of gold on this stream and its branches appears to have been first made known by Indians. One of the first prospectors to locate upon it with success was J. A. Carmich, who staked out his claim in August, 1896, and with two helpers, in a few weeks, washed out over $14,000.

According to the reports of Mr. William Ogilvie—in charge of the Canadian contingent of the International Boundary Survey—the Klondyke and its branches form a district in which four thousand claims, each one hundred feet in length, may be expected. To this may be added the length of a large creek between Klondyke and Stewart River, called Indian Creek, along which good prospects have already been found. There is no reason to doubt that the other small tributaries of the Yukon on both sides of the boundary will add valuable workings to those already discovered. Work for ten or twelve thousand people appears to be already in sight; and only the question of adequate subsistence seems likely to limit the number of incoming seekers for fortune.

In an examination of the gold deposits in the coast regions of Alaska made, in 1895, by the well-known expert of the United States Geological Survey, Dr. Geo. F. Becker, it was noted that much of the gold was contained in discontinuous lenses of quartz in the country rock,—known

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to miners as "stringers,"—rather than in regular fissure-veins. On account of their irregular distribution, these stringers, unless of exceptional abundance, contiguity, and size, afford less promising openings for regular quartz-mining. When the disintegration of the rock proceeds in the natural way for many centuries, there is carried on what may be termed a natural panning-out process. By this process the metal contained in the stringers is gradually concentrated in the rough beds of the small streams, while the lighter gravel and other débris are carried away by the main stream or gradually dropped above the heavier material containing gold. Although Mr. Spurr, of the United States Geological Survey, who examined the deposits on Forty-Mile and Birch creeks in 1896, is very hopeful of valuable vein deposits in this region, it seems probable that much of the Yukon gold, like that of the coast, is the product of disintegrated stringer leads.

The analysis of several lots of Klondyke gold at San Francisco shows the value of the coarse and fine dust to be, respectively, about seventeen and eighteen dollars per ounce,—being somewhat less fine than that produced by the California placers. With the gold is mixed a certain amount of lead, silver, and other less valuable metals; and most of it is more or less deeply stained with iron. The washings are said to be accepted in trade by the storekeepers on the Yukon at a valuation of fifteen dollars per ounce; which doubtless reserves for them a certain margin of safety.

The method of working the gravel deposits in the Yukon mines is somewhat unique, and results from the peculiar climatic conditions. Ordinarily, the earth in this region, below its blanket of moss, is more or less permanently frozen to a considerable depth. Even when the soil is not actually consolidated, numerous small crystals of ice are plentifully distributed through it. In ordinary seasons, when the vegetation is removed, the natural thawing of the earth does not proceed much below a foot from the surface. The frozen soil is very tough, resists the pick, and hardly responds to a charge of blasting-powder.

At first the miners were led to take advantage of the shrinkage of the streams when cold weather set in, by laying up a supply of gravel above the level of the stream, so as not to be forced into idleness during the time of freshets. After clearing away the surface, fires were built over the gravel, and maintained until the heat had melted as thick a layer as seemed practicable. This was then removed and carried to a safe place on the bank; and another frozen surface being exposed, this was subjected to the same process, which was repeated indefi-

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nitely, or until the bed-rock was reached. When the freshets came, the workable gravel was, of course, covered with water; but the miner filled up his time by washing out the gravel he had stored above water for the purpose. This process necessitated the cutting of a very large supply of wood, and the moving of a great quantity of barren gravel, the labor on which was in large part lost. This method was then improved by restricting the area heated to what would practically form a shaft, which was carried down until pay-gravel was reached, when the miner utilized his fires to run a tunnel along the axis of the pay-streak, over which the frozen, barren gravel formed a solid roof. In this way better results were obtained, at a cost of much less labor.

A certain amount of difficulty arose from the liability of the carbonic-acid gas generated by the fires to collect in dangerous quantities in the tunnels,—an evil which, in some cases, was overcome by the use of rude ventilating machinery worked by a hand-made windmill. It is quite evident that whatever returns the hardy miner obtained from his work were well earned.

In American territory there has been hitherto no governmental or judicial officer, and there have been no restrictions upon miners or mining. Citizens of any country may reap the fruit of their labor without any supervision or restriction, except that imposed by the unwritten but universally accepted "miner's law." Under these conditions, excellent order has prevailed in the American diggings: the imbibition of cheap smuggled whiskey and the gambling inevitable to mining camps seem to have produced no very serious evils.

On the Canadian side of the line, however, law and government have not been without their visible symbols and administrators. A "Gold Commissioner," who is a sort of benevolent despot invested with plenary powers, and twenty of the mounted police with which our Canadian neighbors maintain such excellent order in frontier districts, have been for some time in the region. So far, they have had little to do; but, if the reports in regard to the character of some of the present influx toward Klondyke are true, they are likely to have their hands full before long.

A license fee of five dollars, payable to the Gold Commissioner annually, is required of every prospector in Canadian territory. Should the miner be fortunate enough to "strike pay-dirt" and take up a claim, he must pay an entrance fee of fifteen dollars, and one hundred dollars per annum thereafter. He may take up diggings on bar or river—practically the only kind on these streams—for a length of

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five hundred feet along the axis of the stream and outward to the base or benches of the hills on either side. Dry diggings are allowed to claim an area of one hundred feet square. Any person discovering a wholly new mine is allowed two hundred and fifty feet extra along the stream. All claims must be staked and registered with the Commissioner; but any number of miners may unite and work their claims as a body. A claim must be recorded within three days of its location; one additional day being allowed for every ten miles' distance of the claim from the office of the Commissioner. Claims may be sold, transferred, or assigned before the Commissioner for a fee of two dollars.

Right of way to other claims is reserved over the surface of registered claims; but the miner on a registered claim is exclusively entitled to all the products thereof. He must, however, obtain a permit to cut timber from the surface. He is entitled to his proportion of the water originally flowing on or over his claim, and to free drainage of his claim over the claims below.

Absence from his claim, or failure to work at it on working days for the space of seventy-two hours, without the Commissioner's permit or evidence of illness satisfactory to the Commissioner, entails a forfeiture of the claim in favor of any other person who, on showing these facts, may register upon it. In all disputes or difficulties not otherwise provided for, the Commissioner possesses nearly absolute powers.

It will be seen from this summary that our Canadian brethren regulate their mining affairs much more minutely, and certainly more effectively, than we do. It is probable that their method diminishes materially the amount of mining litigation, as compared with ours, while the expenses of the Commissioners are no doubt fully met by the fees.

The Canadian government has announced a graduating tax on productive Klondyke mines, and reserves every alternate claim to itself.

There are two principal routes by which the Yukon mining district may be reached. One is by steamer from Puget Sound through the interior waters of the archipelago to their northern limit at the head of Lynn Canal. The narrow terminal part of the Canal is often called Taiya Inlet. The word Taí-ya, of native origin, is spelled in many different ways, such as Tya, Dyea, of which the last is the form most commonly used. At the head of the inlet is the level delta of a small stream where Healey, a well-known Alaskan pioneer, has established a trading-post and rendezvous for pack animals. Thence the trail ascends to the divide; the upper part being very steep and above the snow-line.

On the Canadian side of the range a string of small lakes and

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streams, hardly navigable,—but usually crossed on the ice,—leads toward the more navigable portion of the Lewes branch of the Yukon. Formerly, on arriving at the wooded border of one of the upper lakes the traveller stopped, and, with a whip-saw, laboriously cut from the green spruce, boards enough to build a rude *bateau*, in which he embarked with his goods and chattels for the Yukon. Many of these frail constructions found a watery grave at the White Horse Rapids or in Miles Cañon on the Lewes River, though neither obstruction is serious if adventured in a seaworthy craft.

Once in the Yukon, the traveller's troubles are over. It is easy navigation, floating with the stream to any point desired. Of late, a small saw-mill supplies, for a sufficient consideration, boards or even ready-made *bateaux* to the prospector, thus saving him a great deal of time. It is doubtful, however, if this institution will be able to cope with the needs of the throng who have recently taken passage for Dyea.

The proper time to make the journey is early in the year, while the snow is hard, and the upper Lewes lakes offer a frozen surface for the sledges. After the snow is gone, the difficulties of the portage for foot-travellers is enormous. There are several other passes beside the Chilkoot Pass at the head of Dyea; but they all offer so much longer a land portage that hitherto they have been but little used. A pass next west from Chilkoot has been called the White Pass. It is said to be one thousand feet lower at its summit, and passable for pack animals with ease. As it opens upon a grassy prairie, it will probably come into use in summer for mounted parties. Another, the Chilkat Pass, still farther west, is also low, but has a much longer land portage. A fourth pass, said to be practicable, extends from Taku Inlet to the headwaters of the Hootalinqua River. It is long; but once the river is reached, the navigation is reputed to be less dangerous than on the Lewes.

The advantages of the portage route are: That it can be made early in the season, getting the traveller to the ground at the beginning instead of the middle or end of summer; that it is short; and that it is vastly easier to float with the stream than to paddle against it. For those reasons persons who go in by this route very frequently follow the Yukon down and come out by way of St. Michael.

The other route is by ocean steamer from California or Oregon to St. Michael, Norton Sound. Here the flat-bottomed stern-wheel steamers belonging to two companies doing business on the river may be taken, landing the passenger at Dawson City—with good luck—early in August. This is the easiest and slowest way of going, and in-

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volves no more danger than a trip on a similar craft anywhere else. Barring the mosquitoes, there are no blood-thirsty enemies or wild beasts to be feared; and the journey, if a trifle monotonous, offers many points of interest. But for miners on business bent, the boat arrives just about in time to admit of building winter quarters; while the man who has come over the portage—with luck—has had the whole working season for his own.

One serious danger menaces the large population now pouring into the district. The upper Yukon is a country where subsistence has always been difficult. The first party which ever reached it,—that under Robt. Campbell of the Hudson Bay Company, who named the Pelly River,—though composed of seasoned *voyageurs*,—was, if tradition be reliable, forced to support life by cannibalism before it could reach help. In 1866, not more than three hundred Indians were able to find subsistence between Fort Yukon and Fort Selkirk. The abundant fish and game of the lower Yukon are absent. The river steamers available for transportation cannot, during the remainder of the present season, carry up to Dawson City much more food than will supply its present population. It seems improbable that any large proportion of the people now hurrying over the Chilkoot portage can transport—if indeed they possess—food enough to carry them over the winter and up to the arrival of summer supplies from the lower Yukon.

Very serious hardships, and even probable starvation, therefore, confront the rash and foolhardy, who push forward without proper supplies into a region whose limitations they do not realize. Fortunately, it is likely that many of those least prepared for the undertaking will never get over the divide, and will be obliged to remain in Southeastern Alaska, where the rush to Klondyke will have left open many opportunities for employment. Were it otherwise, the coming winter and spring would probably furnish material for tragedy. Even as it is, the circumstances offer ground for very grave apprehensions.

For those who may contemplate investing in permanent works, such as roads across the portages, another warning is in order. The average life of the placer districts of the Northwest Territory has been about three years. The gold-bearing streams being narrow, their pay-streak is soon worked out; though for a time it produces abundantly. These considerations should not be neglected in weighing the possible profits to be derived from constructions of a permanent nature in a region dependent solely upon the product of its mines.

WILLIAM HEALEY DALL.

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STRIKES AND THE COAL-MINERS.

Of all momentous questions there is, in my opinion, none so little understood as the labor movement. It is generally believed that its sum total is represented by the strike and the lockout; whereas, in truth, its chief factors are those which noiselessly, but steadily, secure for the wage-earners a measure of relief from unjust burdens and conditions. The labor movement serves not only to avert reductions of wages, but to bring about actual increases, as well as to reduce the hours of labor,—not by the strike, but by the power and influence exercised by the possibility of a strike. Employers who are wholly unmoved by argument or appeals to humanity will often, by a strike or the fear of a strike, be convinced of the necessity of considering more impartially the rights of the workers.

To prepare for strikes is to avert them, or at least to reduce their number; and it is beyond the shadow of a doubt that more strikes have been averted by the organization of labor than by any other means.

A strike or lockout is merely an incident—and in fact a comparatively insignificant incident—of the labor movement. It is, however, only when a strike occurs that the movement attracts general attention, —as does a volcano only when in a state of eruption. The normal and continuous efforts of labor are of interest merely to the student, who seeks for cause and effect. It is the strike that exposes to the public view the shocking conditions which, even in this enlightened age, exist among the workers. It is because of the exposure of these conditions that the sympathy of the people is generally to be found on the side of striking workers. The public conscience is shocked by the fact that, in this era of material plenitude, so much want prevails.

After all, what is a strike? It may be defined as a disagreement between the buyers and sellers of labor as to the terms upon which labor is bought and sold. And inasmuch as the seller cannot differentiate labor from man, the transaction has, in addition, humane bearings and interests. The negotiations as to price are conducted usually in one or other of two places: in the case of the unorganized workers, at the entrance to the mine, mill, factory, etc.; and in the case of the

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organized workers, in the employer's office. In the one case, the terms of sale are based on the lowest needs and conditions of the workers; in the other, on their average needs and conditions.

In this age of organizations, combinations, corporations, and trusts, there certainly exists little ground for real complaint against the workers, because they organize, and, by organized effort, seek to place a somewhat fairer value upon their labor,—the only property or "merchandise" they have to sell. Without organization they are not accorded the slightest consideration in the mad scramble of competition for the markets of the world.

It is agreed, by all observers, that the higher the standard of life among the workers, the greater is the degree of industrial, financial, and commercial success attained, and the higher is the state of civilization of the whole people. Of course, it is not to be ignored that there are some well-meaning people who labor under the belief that the wages of American workers are too high, and their hours of labor too short, and that in world-competition the highest pinnacle of success may be attained only upon the basis of low wages and long hours of labor. To such the fact that the whole history of industry is replete with evidence of the unsoundness of their thesis, is of little moment: the immediate present—a large sale or order—is the alpha and omega of their economic, social, political, and moral philosophy. It may well be said that if low wages and long hours of labor formed the basis of industrial and commercial progress, China should be in the vanguard of civilization to-day.

During the industrial stagnation of the past four years, the organizations of labor have performed a service to the people of our country for which they have never received recognition, and for which, perhaps, they will never receive the gratitude to which they are justly entitled. One of the great causes of this stagnation—if not the greatest cause—was, undoubtedly, the fact that the productive power of the workers progressed at a greater ratio than their ability—or rather their opportunity—to consume. In other words, there exists in our economic system the evil sometimes called "over-production," but which might be more correctly termed "under-consumption." For, were the consumptive power of the workers to keep better pace with their productive ability, the anomalies of a people going a-hungered with ever-recurring industrial, commercial, and financial panics, crises, and stagnation—in the midst of plenty—would be unknown.

Fortunately, when the crisis of 1893 came, it met a fairly well organized labor movement. While in some instances reductions in wages

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were made, these occurred only exceptionally in the case of organized workers.

Awful as the conditions were at the time of the panic of 1893,—and still are as a result of that panic,—there can be no doubt that had the workers not been so well organized as they were, there would have been no limit to the depth to which wages would have fallen. As a result, the consuming power of the workers would have been so much further reduced as to render the economic and industrial depression still more acute, and the demoralization and misery of the workers so much more marked that, by comparison, their present conditions would represent a veritable paradise. In a word, the unions of labor, during the past four years, have stood as a rock to check a wholesale reduction in wages, with all its concomitant misery. Further, the labor movement has served to shorten the duration of panics themselves as well as to enable the workers to maintain the consciousness of power and the hope that full justice will be secured to them in the no distant future. Finally, the movement has been the one great preventive of much more serious conflicts, if not of a revolution.

The Miners' Strike.

The Miners' Strike affords a study for us all. In the coal industry, as in most others, "machinery is introduced faster than new employments are founded." Before the panic of 1893, the miners were comparatively poorly organized; reduction after reduction was the order of the day; machine mining had been freely introduced, without the slightest attention being paid to the new conditions under which the miners were required to work. Of course, no observer—certainly no intelligent union member—entertains the thought of opposing the introduction and full development of machinery; but union labor insists that if, through the genius of man, the production of the necessaries and even the luxuries of life be made easier, the producers of these—the workers,—if they do not become the beneficiaries, shall certainly not be made to suffer thereby. Union labor insists further that if new machinery be introduced, the worker shall enjoy at least part of the fruits. It also insists that the burdens of the worker be lightened by a reduction in his daily hours of labor, and that he receive as a reward for his labor a living wage,—a wage which, in the dawn of a higher manhood and a nobler civilization, will afford him an opportunity to keep pace with the ever-increasing responsibilities devolving upon him as a husband, a father, a man, and a citizen.

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As above stated, the condition of the miners' organization in 1893 was such that the men were unable to insist upon a fair consideration of their interests. The old abuses of the "Company Stores," where the workmen were compelled to deal, were reintroduced and extended; thus compelling them to pay, in most instances, an excess of 25 to 50 per cent for every necessary of life. The hovels in which they dwelt, the well from which they drank, the church at whose altar they knelt, were all owned or controlled by the companies: the workers were truly their bondmen and their slaves.

There is a limit of poverty and misery among the workers in civilized society; and, rather than sink below it, they prefer to incur the dangers of open revolt. Though they deplore the disturbance it occasions, it is the courage, hardihood, and temporary self-sacrifice which this course involves that often prevent a relapse of society into barbarism, and the people from being thrust into actual slavery. It was this state of feeling, no doubt, that provoked the Miners' Strike of this year. Let us briefly examine the miners' conditions, existing just previously to the strike, and compare them with those of 1893.

The rates paid in the Western-Pennsylvania mining district in 1893 were 79 cents per ton for thin vein, and 65 cents for thick vein. The rates at the time of the Strike (July 4, 1897) were, 47 to 54 cents per ton for thin vein, and 28 to 30 cents per ton for thick vein.

In Ohio and Indiana, the prices in 1893 were 75 and 70 cents per ton respectively for thin and thick vein mining. The 1897 rates were 51 cents per ton, with an offer of a reduction to 45 cents per ton, occasioned by the low prices in Western Pennsylvania. In every mining district about the same ratio in the reduction of wages was enforced.

According to a written statement of a mining company in the Hocking Valley district of Ohio, thirty-nine miners were paid in wages an aggregate of $223.98 for two weeks' work,—or $2.87 a man per week. From this is deducted the cost of powder, tool sharpening, and wear and tear of pick, shovel, etc. The articles purchased by the families of the thirty-nine men at the company's store in the same two weeks amounted in the aggregate to $178.05,—an average of a fraction over $2.28 for each family, not including rent. This statement, it must be borne in mind, is that of the employers,—not of the men,—and, therefore, is certainly not overdrawn to elicit sympathy for the condition of the latter. Nor was this condition exceptional: it was, unfortunately, a general one. In 1895, when the mining rates were 55 cents per ton, —four cents higher than the present rates,—the Chief Mining Inspector

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of Ohio ascertained that, on the average, the wages of the miners were $18.48 per month, excluding deductions and expenses.

It is not the intention of the writer to picture here a woful tale of the misery and degradation to which the miners were being gradually crowded. Let someone more gifted, someone less actively engaged in the struggle to lift our fellows from the slough of despair, write it down, to the shame of our present era, for the edification or horror of future generations.

It will not be amiss, however, to quote from the official statement of the miners' organization, concerning the causes which impelled the present suspension :—

> "Our suspension is not a choice, but an alternative. It is the voice of an enslaved class urged to action by cruel and unbearable conditions; the protest of an overworked, underpaid people against longer continuing a semi-starved existence. The limit of endurance was reached when honest labor could no longer sustain itself. . . . On one side, we were confronted by a heartless array of employers, whose combined wisdom and wealth suggested no remedy other than continued submission to avarice and greed; on the other side, we were met by the cries of nearly one million men, women, and children appealing for their rights to the opportunities of life and wages to sustain them compatible with economy, civilization, and present industrial conditions."

The miners' organization sought, by conciliation with the employers, to establish a uniform minimum mining rate. But every advance of this character was accepted as additional evidence of the miners' weakness. The overtures of their representatives were ignored or spurned. The men were insulted and defied to do their worst; and the conflict culminated in the challenge of a leading operator, "Go on and fight! We are ready for you."

The last straw was about to be placed upon the camel's back: no hope for a change through the assistance of the operators,—that is, no change except possibly still worse conditions,—could be looked for. The future seemed bleak and hopeless, unless the men themselves could be roused from their lethargy, and be made to feel that perhaps by submitting to a little more hunger and hardship for a time, a movement might be inaugurated from which would spring better conditions for the miners, their wives, and their little ones—better conditions not humanely or wisely sought by the far-sighted and public-spirited employers, but wrung from them through dire necessity to save themselves from financial destruction.

It was this alternative which confronted the miners when the authorized order for the suspension of mining operations in the competi-

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tive bituminous-coal district was issued, July 3, 1897, to take effect on the following day. In response to this order, more than one hundred and fifty thousand heroes emerged from the bowels of the earth, dropped their tools of labor, and sullenly looked the future in the face, thinking that abstinence from all work for a time could scarcely entail much greater hardship than they had already borne. They determined that if the future should mean nothing more than misery and degradation, they would not become resigned to their fate without at least registering such a mighty protest as would live for all ages to tell the tale that the miners were not willing slaves.

Before the Strike, a continual reduction in wages was the order of the day; no operator could see, nor did he care, where the limit of low wages would be; the discussion of a minimum rate was scouted as absurd, not to be considered for a moment. Could the coal-trade entertain an idea of an increase in the mining rate? Perish the thought! Nevertheless, at the time of writing this article (August 6) the Miners' Strike has lasted five weeks; and it has already resulted in a great change in the attitude of the operators.

To-day we hear no one discussing the reduction of wages, either for the present or the future. Why this change in the attitude of the operators and why this upward tendency of rates? It certainly is not because of a more humane consideration of the just claims of the miners by the operators. If so, the claims before the Strike were as just and fair as they are now. In a recent largely attended conference of mine operators at Pittsburg, it was resolved to endeavor to effect a combination among them, and all other operators in their competitive field, for a uniform minimum mining rate. Of course, there are some who doubt the sincerity of the leading spirit in this move, and who ascribe to him a purpose to evade the issue presented by the Strike; charging that it is a cleverly devised scheme to befog the public, and thus to defeat the present miners' movement for a real and permanent basis of a uniform minimum rate. But it is not the purpose of this article to impugn the motives of the promoters of this scheme and of those who participate in it. If we take the declarations as they are, we cannot fail to conclude, protestations to the contrary notwithstanding, that the conference was held and the declarations for a uniform minimum rate were made as the direct result of the Miners' Strike. If this be not so, pray why was the conference not held previously to the Strike, when the miners so earnestly pleaded for it?

It is, therefore, not an improper inference, when we claim that

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though the Miners' Strike, as a strike, may not result so successfully in all its phases as we may wish,—the writer certainly hopes and believes that it will,—yet, as a matter of fact, it has already been successful to a very large extent. No more shall we hear of reductions in miners' wages: the limit has been reached. Although neither a prophet nor the son of a prophet, a reputation is ventured upon the prediction that the worst is over, and that the future of the miners will be better and brighter; tending upward and onward in full touch with the progress of their fellow-workers.

Pursuant to the call, more than 150,000 miners, spread over five States, quit work at one and the same time. In five weeks, among all that number, not a breach of the peace has occurred; and this record has been maintained in spite of the greatest provocation caused by armed and disreputable hirelings, whose continuance of service has depended upon their thugging, brutal, and unscrupulous propensities. The miners, as well as their friends and sympathizers, have realized that much of their success—if not all—would depend upon their sterling, law-abiding deportment. To the chagrin of their enemies, their behavior has been such as to command the admiration of their counsellors and friends.

But what of the operators? They have been engaged in arresting the leaders of the men's choice; in building fences around public property, such as school and meeting houses; and, through the agency of the police and a horde of armed special deputies, in forbidding and preventing public meetings and free speech.

We are living in an age in which the cause which espouses, and struggles to attain, real justice and true freedom, deserves the earnest thought and best efforts of the men of our time.

It will be the unswerving purpose of the miners and their brothers in labor to secure the full measure of justice for which they are struggling, and to which they are entitled.

SAMUEL GOMPERS.

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HAWAII AND THE CHANGING FRONT OF THE WORLD.

NOTHING has been more noteworthy during the century now drawing to a close than the wonderful expansion of Great Britain, Russia, and the United States.

The British Empire has steadily expanded until it now comprises an area of 11,384,000 square miles, with a population aggregating 402,000,000, having a foreign and intercolonial trade amounting to $6,385,000,000 yearly. Of the total shipping of the world, 61 per cent is carried under the British flag. No empire since the dawn of history has equalled the British Empire of to-day in area, in population, or in wealth.

The Diamond Jubilee of Queen Victoria was a glorious apotheosis of British unity and strength. The Premiers of eleven self-governing colonies rode in the Jubilee procession, accompanied by colonial and native troops from all parts of the world; every colony represented rejoicing in the words of Kipling, "Daughter am I in my mother's house, but mistress in my own."

At a banquet given to the colonial Premiers, the Duke of Devonshire contrasted the feeling entertained in England toward the Colonies to-day—Englishmen everywhere rejoicing in celebrating imperial unity—with that which obtained when the Manchester School flourished, and when colonial expansion and consolidation were regarded as a policy of doubtful principle. The Jubilee marks the beginning of a new era in Anglo-Saxon development; and Imperial Federation will hereafter be the goal of British endeavor.

The expansion and growth, in population and in wealth, of the United States during this century have been the wonder of the world. The thirteen sturdy, self-reliant English colonies came into conflict with the dependent colonies of France and Spain on this continent,—a contest between the town-meeting and bureaucracy, between individualism and paternalism; and individualism triumphed. A stupid British ministry tried to interfere in the local affairs of the colonies; but the latter asserted and maintained their independence, and put into operation the most perfect system of federation hitherto attempted.

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The propensity to acquire land, and the colonizing instincts which we inherited from our sea-roving ancestors, have lost none of their potency; and we have gradually secured, by purchase and conquest, the vast territory extending from the Atlantic to the Pacific. And our Aleutian Islands stretch across the Northern Pacific almost to the eastern coast-line of Asia. We have but recently proclaimed that our country is paramount on this hemisphere; and we have had that claim acknowledged by the only great World-Power possessing ability to dispute it. In this connection, it may prove of interest to recall some of the events leading up to the acquisitions of territory, and the declaration of the Doctrine that America must remain free from foreign aggression.

But for the victory of Wolfe at Quebec, and the purchase of the Louisiana territory, France would have controlled the vast domain extending from the mouth of the St. Lawrence to the mouth of the Mississippi, and indefinitely westward toward the Pacific. Spain claimed the vast territory extending from Vancouver to Cape Horn. It was the growing sea-power of England—Rodney's victory over the French fleet in 1782; the victory at Cape St. Vincent over the Spanish, and that of Camperdown over the Dutch in 1797; the victory of the Nile in 1798; the seizure of the Dutch fleet in 1799; and the annihilation of the Northern Maritime League at Copenhagen in 1801—that caused France to part with her Louisiana territory in 1803.

After Trafalgar (1805), France and Spain ceased to be naval Powers to be dreaded. Later, when Mexico and Central and South America had revolted against the despotic rule of Spain, and the crowned autocrats of Europe, alarmed at the spread of free institutions, had leagued together to stifle freedom and to aid Spain in recovering her American possessions, it was at the instance of England—we should not forget—that our celebrated Monroe Doctrine was promulgated. Mr. Canning suggested to our Minister to Great Britain that the two countries should stand together in preventing, "even by force if necessary," any action of the Holy Alliance looking to the reëstablishment of Spanish rule in America. Mr. Jefferson urged President Monroe to accept the "proffered aid of England"; and the celebrated Message containing the Doctrine was promulgated December 2, 1823. There was great rejoicing in England when the Message reached that country. Sir James Mackintosh said in Parliament:—

"The coincidence of these two great English commonwealths (for so I delight to call them, and I heartily pray that they may be forever united in the cause of justice and liberty) cannot be contemplated without the utmost pleasure by every enlightened citizen of the earth."

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In 1826, Henry Clay, as Secretary of State, in instructing our delegates to the Panama Congress, wrote:—

"After these two great maritime Powers [Great Britain and the United States] had let Continental Europe know that they would not see with indifference any forcible interposition in behalf of Old Spain, it was evident that no such interposition would, or, with any prospect of success, could, be offered."

But for Wolfe and Nelson, Pitt and Canning, how changed might have been the history of this continent, how changed might have been the history of the world! Whatever the debt we may owe England—and the debt is great—for the achievements of the great men just named, it has been amply paid by the lesson of our Revolution, and by the lessons of federation which our successful experiment is teaching.

Sir H. Maine points out that

"the Federal Court is the unique creation of the founders of the Constitution . . . the success of this experiment has blinded men to its novelty. There is no exact precedent for it either in the ancient or the modern world."

Of this court, John Stuart Mill says:—

"the usual remedies between nations, war and diplomacy, being precluded by the Federal Union, it is necessary that a judicial remedy should supply its place. The Supreme Court of the Federation dispenses international law, and is the first great example of what is one of the most prominent wants of civilized society, *a real international tribunal.*"

The British colonies are fast learning the lessons of federation which we have taught. Within the past few years the Canadian provinces have federated; within the past few months several of the Australian governments have passed Acts looking to Australasian federation. A great British empire is growing up in South Africa. The Transvaal and Orange Free State are just as sure to form part of the South-African British Federation as New Netherlands was to become New York. There, in South Africa, is a region as large as Europe,—not including Russia,—suited to colonization by our race; and in that far-away land the statesmen, in discussing the problems to be solved, are quoting from the American Constitution and the writings of Jefferson, Madison, and Hamilton, and are demonstrating how applicable to their present conditions are the principles enunciated and put in practice by the founders of our government. There, too, are states with diverse interests, their English and Dutch communities, their local jealousies, their barbarous, warlike tribes on the frontiers, and vast areas of unoccupied land. They have Oöm-Paul, with his alien and sedition laws; and the fight

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between Chief Justice Kotze and President Krüger is much like the contest that Chief Justice Marshall had with President Jefferson and some of his successors, and which resulted in the victory of the Court over the Executive.

Will not the federation of the various colonies be followed by a larger or imperial British federation, with an Imperial Supreme Court to settle intercolonial differences, as the differences between our States are settled? Has not our Supreme Court shown statesmen the way to a higher Court of International Arbitration, and was not the treaty, signed at Washington during the present year, but a harbinger of the coming dawn?

The growth of political aggregations is facilitated, and their permanence insured, by the introduction of the representative or federal system of government, and by the increasing commercial and industrial interdependence of widely separated countries.

With the development of the marine engine, the sea unites rather than divides widely separated lands. Measured by freight costs, Honolulu is nearer to San Francisco than are many towns in the State of California; Auckland, Sydney, Vancouver, and Hong-Kong are nearer to London than is Omaha to New York; and the British possessions in India, South Africa, Australasia, Canada, and the innumerable isles of the seas form a more perfect commercial unit than do the various parts of the Russian Empire, with no intervening seas.

The English-speaking peoples now supreme on the ocean, possessing by far the largest area of habitable lands in the temperate zones,—lands containing the greatest stores of coal, iron, copper, gold, and silver,—have advanced more in material wealth during the century now closing than in all the previous centuries in the history of our race. With a proper application of the federal system, as devised by the founders of our government, our race has the means of unlimited expansion without imperilling national unity.

Russia has been striving for centuries to reach the open sea. The dream of Peter the Great has become crystallized into a national aspiration. Gibraltar, Malta, the Suez Canal, and the preponderating strength of the British navy make the Mediterranean an English lake, even should Russia pass the Bosphorus. The entrance to Russia's Baltic ports is blocked by ice for a great part of the year. Thwarted on the west and south, ice-bound on the north, this great, mysterious, seemingly irresistible Power extends her dominion steadily until she reaches the Sea of Japan on the east; acquiring, by bold and skilful diplomacy, the

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Amur country, equal in area to France. For the purpose of uniting her vast dominions, Russia is pushing to speedy completion her great Siberian railway from the Ural Mountains to her Asian seaport-fortress. The names around this Eastern fortress indicate Russian aspirations: Vladivostock, means "Ruler of the East"; the harbor is called the "Golden Horn"; the passage to the sea, the "Eastern Bosphorus"; and the bay, the "Gulf of Peter the Great." If not in Europe, yet in Asia, after centuries of patient striving, will Russian dreams of becoming a sea Power at last be realized.

But Vladivostock is blocked by ice during the winter. Russia must reach the open sea. By masterful diplomacy, after the close of the war between China and Japan, she makes a treaty with the former; acquiring, among other important concessions, the right to construct branches from her great military railway through Manchuria to harbors in China on the Yellow Sea. Unless checked, her dominion will follow the completion of these roads. Gradually she will extend along the lines of least resistance. She cannot become a sea Power until she becomes a manufacturing and commercial Power. China has, in her northern and eastern provinces, the only great coalfield not now in the possession of Great Britain and the United States. The population of Russia, by the census just completed, aggregates 129,211,113; and the yearly increase amounts to 1 per cent.

Russia has not reached the limit of her expansion. She has neither Parliament nor Congress to question the policy of her aggressive, autocratic government.

China has a population estimated at 400,000,000 of frugal, industrious, enduring people. With the possession of the great coalfield near the open sea, and deep harbors, if Russia can unite her forces and direct the tremendous, but hitherto dormant, energies of China, the world will have a new Power, possibly a new danger, to face.

More than six hundred years ago the great Mongol Empire threatened to absorb Western Europe. Now, the expanding empire of the Slav threatens to absorb the descendants of the Mongols, and to establish an empire more powerful than the all-conquering empire of Genghis Khan.

The presence of Russia in the Far East, and the possibility of a combination between Russia and China, followed by the awakening of China from her sleep of centuries; the extension of French dominion in Indo-China, Siam, and Madagascar; the partitioning of Africa and the islands of the Pacific among European Powers; the industrial

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growth of Japan, and her entrance into the family of nations as a great naval and military Power; the completion of the great military highways from Halifax to Vancouver, and from St. Petersburg to Vladivostock; the rapid peopling of British Columbia and our North-Pacific States, and of the Amur and Manchuria districts,—all tend to change the front of the world, and to transfer to the placid Pacific the national activities which, for three centuries past, have rendered the Atlantic the theatre of stirring events.

We must expect points of vantage in the Pacific to be occupied. There is a vast area of the Pacific Ocean with one, and only one, great land-locked harbor, easily defended,—Pearl Harbor in the Hawaiian Islands. These islands are situated at the intersection of the great commercial routes from Vancouver to Australasia, from the Isthmus of Panama to Japan, from San Francisco to Hong-Kong and Canton.

However Americans may differ in their views as to the policy of free trade or protection, as applicable to this country, all must agree in wishing that our own products should not be excluded from foreign markets by hostile tariffs. It is fast becoming absolutely essential to our well-being that such markets should take our increasing surplus. We possess the greatest aggregate of machinery of highest efficiency in the world; and we produce a larger output per operative than any other country. Because of our application of mechanical appliances, our farmers produce more per man than do the farmers of any other country. One farmer in this country can produce food for two hundred and fifty persons; while in Europe one man can feed but thirty.

Mulhall estimates that the United States possess almost as much energy, measured in foot-tons, as Great Britain, France, and Germany combined. Already our capacity for production, both in agricultural and manufactured products, far exceeds our capacity for consumption, so that we must seek foreign markets for the disposition of our increasing surplus. More than one-half the population of the world is in countries fronting the Pacific and Indian Oceans. The foreign commerce of the countries bordering these oceans—excluding North America—already amounts to over $2,250,000,000 a year. Of this great commerce, we, as yet, have but a small fraction. Over 80 per cent of our total exports go eastward across the Atlantic, and less than 5 per cent, westward. This is because the great bulk of our total exports are the crude products of our farms, forests, and mines. They go to feed the producers of Europe, and to furnish raw material to Euro-

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pean manufacturers. We grow 80 per cent of the raw cotton in the world; yet, with the cheapest power in the world, and the most efficient labor, we have only 15 per cent of the spindles of the world. China, Japan, Corea, and India are cotton-using countries; and, with the changing conditions, here is a future market worth striving for. The deep rivers of China and India render the remote interiors of those countries, with their teeming millions, easily accessible from the sea. We have now five transcontinental railways reaching the Pacific; and a ship canal connecting that ocean with the Atlantic is inevitable. Our trade with Eastern Asia will expand to enormous proportions. The ports of Japan were first opened by United States war-ships, under Commodore Perry; and this was the beginning of the tremendous revolution and development in the Far East.

Thus far, British colonial expansion has meant to this country the opening of new markets for whatever we have had to sell. About 60 per cent of our total exports go to Great Britain and her colonies. The colonial expansion of France and Russia aims always at close markets for their own commerce,—a continuation of the Roman system of acquiring and governing countries for the exclusive benefit of the central power. With the occupation of Madagascar by France last year, commercial treaties were abrogated, by the placing of increased duties upon imports other than French.

The time is approaching when the cotton-growers of the South, the wheat-growers of the West, the meat-producers on our plains, and manufacturers and wage-earners all over our land will realize that exclusion from Asian markets will be disastrous to their best interests. The expansion of Russia in Asia and a combination between Russia and China will extend the Russian system of exclusion.

President Monroe's celebrated Message of December 2, 1823, contained also a warning against Russian colonization in North America; and, in view of the march of events, the application of the Monroe Doctrine to the North Pacific is of more importance to-day than it was in 1823.

As a country where the principles of protection are carried to an extreme, we have no right to object to any other self-governing country levying whatever duties it may desire, provided it does not discriminate against us in the interest of other nations. But we shall have the same right that we had in 1823, in connection with England, to object to any Power forcing its system, to our exclusion and detriment, on countries with which we have commercial treaties. Should not the

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United States and Great Britain, having like interests at stake as in 1823, stand together to guard from danger Anglo-Saxon liberty, law, and interests? I believe events are so shaping that these two great World-Powers, and probably Japan, will be drawn into an alliance which will insure the well-being and progress of the world.

War-ships flying the American flag first opened the ports of the Far East. War-ships flying the Stars and Stripes, the Union Jack, and the flag of Japan may be forced to unite to prevent the closing of these ports.

The Hawaiian Islands—the most important strategic position in the Pacific—are to-day like a derelict flying a flag of distress in mid-ocean.

With a government representing a minority insignificant in numbers, liable to overthrow at any time from internal causes, or from dangerous complications growing out of the preponderance of aliens, the situation, in respect of these islands, in view of the tremendous and far-reaching interests that are involved, is such as to demand the immediate action of our government.

We cannot with honor recede from the protectorate which we have maintained for more than fifty years; and a continuation of existing conditions may at any time involve this country in troubles which could not arise, were the Islands to become a part of our possessions. Our interests, as well as our national honor, now demand the annexation of the Hawaiian group.

We have a coast-line of nearly 2,000 miles on the Pacific; and our Alaskan coast-line is greater in extent than our Atlantic, Gulf, and Pacific coast-lines combined. In the future we shall have a large seaborne commerce on the Pacific to protect.

Modern ships of war and commerce require facilities for coaling, and for frequent docking for repairs. A neutral port cannot be used as a base of supplies in time of war. This was emphasized in the Franco-Tonquin war, when England refused to allow French ships to coal at Singapore, and France was forced to send coal transports from Marseilles through the Suez Canal to Saigon. Mahan has well likened a modern war-ship without coal to a wingless bird.

The great distance across the Pacific will render it difficult for a war-ship to cross from Asia and return without recoaling.

In the possession of a hostile power, Hawaii would give an additional base for coaling and repair from which to attack our extended coast-line. With Hawaii in our possession, and Pearl Harbor fortified and

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stored with coal,—furnishing a safe harbor for our merchantmen,—we need fear no attack from across the Pacific. We should require fewer war-ships in the Pacific, and fewer fortifications on our Western and Alaskan coasts, than would be required if Hawaii should remain in its present condition or pass to the possession of a foreign Power.

A fortified harbor of refuge and coal-supply will save to our commerce in time of war, in the item of marine insurance alone, many times the cost of maintaining it. England, realizing the importance of such harbors of refuge and bases of supply, has established fortified coaling-stations all around the world in the pathways of commerce.

A cruiser or battle-ship with a coal capacity necessary to carry her 5,000 miles, steaming at ten knots an hour, will exhaust her coal in less than 1,000 miles, by doubling her speed. With a supply of coal well guarded in Pearl Harbor, our war-ships and merchantmen can cross the Pacific at maximum speed, or concentrate at distant points at high speed, thus largely increasing their efficiency; while their adversaries, being under the necessity of conserving coal, or of risking the running out of coal away from their own ports, must move at much less speed, thus being placed at great disadvantage.

This important group of islands can now become a part of our possessions, not for the asking, but as a free gift from their now acknowledged government.

The methods of the revolution which deposed the Queen and brought the present government into being are no longer material to the consideration of this question. That is a closed chapter: we are dealing with existing conditions.

Having annexed possessions of France, Spain, Mexico, and Russia,—with their alien peoples, customs, and laws,—and, with ease, incorporated them into our system, we care little whether there are a few thousand more or less Orientals now in Hawaii. If this be an evil, with annexation, it will prove a diminishing one: without annexation, it may become incurable.

It may be argued that our system of government is not suited to such expansion. England has learned that the federal system is the only system yet devised by man that admits of unlimited expansion while securing imperial unity. Our race has demonstrated during this century the great superiority in national vitality of a freely governed country over one governed by a centralized despotism. The great colonial empires of Rome and Spain fell apart because the principles of local self-government and representative government were ignored.

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The founders of our government understood that it was devised to facilitate annexation of territory; and our past history has settled that question. At the time of the Louisiana purchase, Jefferson wrote to Gallatin: "There is no constitutional difficulty as to the acquisition of territory; and whether, when acquired, it may be taken into the Union by the Constitution as it now stands, will become a question of expediency." Gouverneur Morris said at this time, that he had known since the day when the Constitution was adopted that all North America must at length be annexed.

Texas was brought in not by treaty ratified by the Senate, but by an Act of annexation passed by both branches of Congress.

Alaska was bought of Russia in 1867 by treaty; thus abandoning deliberately the theory of contiguity of territory, as determining the right of annexation,—and this by an almost unanimous vote of the Senate, only two votes being cast against the ratification of the treaty.

An English officer took possession of Hawaii in the name of the Queen in 1843; but his action was promptly disavowed by his government. Our Secretary of State, Mr. Legaré, wrote to our Minister in England, that these islands bore such peculiar relations to this country that we might feel justified in interfering by force to prevent their conquest by any Powers of Europe.

In 1853 our Secretary of State, Mr. Marcy, wrote thus of these islands to our Minister in France :—"It seems to be inevitable that they must come under the control of this Government."

In 1873 this country entered into a treaty of reciprocity, which is yet in force.

In 1888 the British Minister, in a communication to our Secretary of State, Mr. Bayard, informed him that as England and France had, by the Convention of 1843, bound themselves to consider the Hawaiian Islands an independent state, and never to take possession, either directly or under the title of a protectorate or any other form, of any part of their territory, it was proposed that the United States should enter into a similar agreement with England and Germany by which should be guaranteed the neutrality and equal accessibility of the Islands and their harbors to the ships of all nations without preference. To this, Mr. Bayard replied:—

"The existing treaties of the United States and Hawaii create, as you are aware, special and important reciprocities to which the present material prosperity of Hawaii may be said to owe its existence; and by one of its articles, the cession of any part of the Hawaiian territory to any other government without the

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consent of the United States is inhibited. In view of such existing arrangements it does not seem needful for the United States to join with other governments to secure the neutrality of Hawaiian territory nor to provide for the equal accessibility of all nations to those ports which now exist."

Mr. Bayard, commenting on the above correspondence in an authorized interview, January 31, 1893, said:—

"I held there could be no comparison between our rights in the Hawaiian Islands, as secured by the treaties of 1875 and 1887, with those of other nations; and I would not consent that the United States should be put upon an equality with them. We had the right of veto upon any transfer of Hawaiian territory, and consequently upon any diversion of the revenues accruing from it. We had an interest in Hawaii that no other country could have. *A political union would logically and naturally follow, in course of time,* the commercial union and dependence which were thus assured. . . . *It was simply a matter of waiting until the apple should fall.*"

Admission as a State need not necessarily follow annexation. As Jefferson wrote in 1803, "that will become a question of expediency." The Administration of Jefferson forced on the Louisiana and Orleans Territories a strong government until they had learned the conditions of American citizenship. The government of the District of Columbia, with a population greater than that of Hawaii, is an example of how those islands may be governed. I doubt if any people are better satisfied with their government than are the citizens of the District of Columbia.

Let us hope that the rivalry between the three great World-Powers —the United States, Great Britain, and Russia—will always be a peaceful striving for the highest development, prosperity, and happiness of their respective peoples. In this contest for supremacy, our great rival, England, had the advantage of advancing beyond ourselves in the science of administration while this country was engaging its energies in the subduing of a continent, in settling the problems of slavery, in the Civil War, and in reconstruction.

In a recent speech, Lord Dufferin said that England could not have reached and maintained her present imperial position, but for the reform of the Imperial and Colonial Civil Service.

It has been well said that the gift of the Victorian reign most worthy of celebration at the Jubilee is the gift of good government; the selecting of the best men for the work to be done; the enactment of laws bearing equally upon the rich and the poor; the reforming of the Civil Service,—thus, upon ascertained fitness, opening a career to rich and poor alike.

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Every acquisition of territory since the formation of our government has been opposed by men who seem to have had little appreciation of the manifest destiny of our race: others shrink with fear, lest we have not the ability to administer properly the government of countries seeking admission into our system.

We need not fear that we shall be unable to meet the requirements of increased responsibilities, and hold our own in this coming contest for industrial and commercial supremacy. The growing greatness of our country will divorce our Civil Service, in the cities, in the States, and the nation, from the blasting influence of bossism and party spoils, and place it upon a broad, business basis of ascertained merit: thus our best trained, our fittest, our wisest men shall be put in places of public trust. Then, and not till then, can we dismiss "the craven fear of being great."

JOHN R. PROCTER.

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WHAT WOMEN HAVE DONE FOR THE PUBLIC HEALTH.

TWENTY years ago the question, "What have women done for the protection of public health?" would have proved a hard one to answer. We cannot deny that women have always done much for the sick. They have founded or supported hundreds of hospitals; and it was Florence Nightingale who introduced the modern system of trained nursing. Yet such work is of the nature of a remedy, and aims at restoring lost health. To-day we have begun to think more of the "ounce of prevention" which is "worth a pound of cure"; and we find ourselves face to face with the problem, how to avert disease and secure sound constitutions among the people.

In studying the attitude of women toward this question, we must take into account several considerations which are generally overlooked. The entire system of sanitary inspection in cities and towns and of local health boards is a movement of the last half-century. New York did not establish a Board of Health until 1866, when the authorities were goaded on by fear of cholera. Women have no doubt been doing much for the protection of health in their own small circles, the results of which it is impossible to estimate; yet the fact remains that they have been behind the men in displaying a broad interest in such matters. This is so simply because, until recently, they lacked the opportunity of obtaining the necessary knowledge, while, at the same time, they had no effective means of reaching the public. The higher education of women has attained significant proportions within comparatively recent years only; and not until recently has any attempt been made to educate them in sanitary or in domestic science. They were supposed to "know it all by instinct, like a bird." The truth is, that the majority of women have not understood these principles; and many of them have made woful failures in the care of their homes. To-day, courses in medicine and sanitary science are open to women in many universities and colleges; scholarly women have studied and written on these questions; and women's clubs all over the land have had their attention called to them. More than this, within the last twenty years women have found in their numerous and well-organized societies

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a more effective method of work than in mere individual effort. The influence of these organizations is so well recognized to-day, that they are constantly called upon by leaders of reforms to assist in shaping public opinion. And we find that women have been quick to make the best of their newly acquired knowledge and of their increased opportunity for public work.

The first organization of women whose sole object was the care of the public health came into being not so much as the result of deliberate purpose as of urgent necessity. Eleven women in New York city, living on Beekman Hill, had suffered so long from the foul odors of an adjacent manure-yard, that they determined to abolish the nuisance. For this purpose they formed themselves, in November, 1884, into the society now so widely known as "The Ladies' Health Protective Association of New York." The history of their early labors is truly remarkable.

These women found, on investigation, that the owner of the manure-yard, Michael Kane, had been allowed, despite numerous complaints, to accumulate this foul heap till it reached two hundred feet in length and thirty feet in height. The secret lay in the fact that he had a brother-in-law in the Senate at Albany. The women appeared before a grand jury, and secured an order for the removal of the nuisance. Similar orders had been previously obtained by others, only to be pigeon-holed; but, owing to the vigilance of the ladies, this one was reluctantly obeyed. In a short time, however, Kane secured the assistance of the Senate, and attempted to reëstablish his dumping-ground in another quarter. The ladies followed his emissaries to Albany; and, after hard work on their part before the Governor and the Legislative Committee, Kane was again defeated.

The astonishing feature of this affair, as well as of every case undertaken in the early days of the Association, was the fierce opposition against which these women had to contend. The Board of Health absolutely refused assistance. It had not inspected the neighborhood of Kane's yard for six years. "Police Commissioner French," says one of the women, "questioned us as if he were interrogating a lot of criminals." Officials were amazed at their audacity. Newspapers dubbed them the "Committee on Smells." Street rabbles followed them as they went on tours of inspection, till they were forced to take a policeman with them. But, instead of being disheartened, they seemed to gain new vigor for the fight.

At that time New York city was receiving a large meat-supply

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from the slaughter-houses on First Avenue, between Forty-third and Forty-seventh streets. This place is described, in a report of the Ladies' Health Protective Association (1894–1896), as consisting of "fifty-five dirty little pens," where cattle "were confined in cellars, the air of which was so stifling that the poor creatures could be seen clambering over each other in frantic efforts to reach up to the gratings for a breath of fresh air." Apparently no attempt had ever been made to clean the buildings; and an expert inspector, who accompanied the ladies, declared that the blood of the slaughtered animals had been absorbed to the very foundations. Pools of blood were standing about even in the streets. A bill was sent to the Legislature by the Association, but was defeated. The butchers, however, found legislative victories of this sort so expensive a luxury that they agreed to adopt certain specified reforms, if the ladies would desist from further influencing legislation. These reforms have since led to the complete destruction of the old buildings and the erection of model *abattoirs*.

Another noteworthy achievement of this association was the investigation, in 1885, of a district between East Eighty-ninth and East Ninety-third streets, called "Little Italy," where one lady reported eight families living in a single room, with their eight beds—such as they were—ranged against the walls. Three hundred cows, ill-fed and filthy, were confined in the vicinity, to provide "pure country milk" for the city. In two years this whole neighborhood was renovated.

Some time ago the Association undertook the work of exposing the shocking condition of stable refuse in the city. The facts which Mrs. Fendler, as chairman of the committee concerned, brought to light seem almost too revolting to believe possible in a land which holds that "cleanliness is next to godliness." The women met such fierce opposition from the stablemen that their bill was not admitted to the Legislature; but an ordinance secured from the Board of Health marks one step in advance. A story told by Mayor Strong at the Convention of the Ladies' Health Protective Association held last spring amusingly illustrates some further results of their efforts. The Mayor saw a man standing at the door of a livery stable, complaining of the dirty condition of the place. "If you don't have this cleaned right away," said the man, "I 'll report you to the Ladies' Health Protective Association." "Oh, for God's sake, don't!" exclaimed the stable-keeper. "Come again next week and see if it is n't clean."

At the regular meetings of the Association reports are heard from

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committees on street cleaning, public closets, school-houses, etc. That these committees have great influence, is evidenced by a recent letter from the owner of a well-known dry-goods establishment to the president of the Association, requesting her to inspect his store and suggest improvements.

The past two years have been a bright period in the history of the work; for the President of the Health Board, the President of the Police Board, and the Commissioner of Street Cleaning have gladly received the suggestions of the ladies, and promptly acted upon them.

Associations have been organized in Brooklyn, Philadelphia, and Pittsburg, under the national charter obtained by the Ladies' Health Protective Association of New York. In Brooklyn no such striking results have been attained as in New York. Perhaps similar appalling conditions did not exist. The president of that association, writes: "We deal with the little things that make up the sum of universal misery." They have organized a Children's Aid of several hundred boys and girls to abstain from throwing things on the streets. Similar work has been organized by women in other cities. In Brooklyn the women have also secured the placing of large tin cans, at frequent intervals, on the street corners, for refuse that would otherwise be thrown about at random.

The Association at Philadelphia, founded in 1892, has been grappling with the question of a pure water-supply,—one of the crying needs of that city. They paid an expert $500 for a thorough examination of the city's water-supply; visited the Mayor, and interviewed two hundred and sixty members of councils; printed circulars of information and twenty-five experts' reports; besides procuring the names of petitioners,—all for the advancement of the cause.

The city has now appropriated $3,000,000 for filtration; and the Board of Health favors the adoption of sand filtration, as recommended by the expert whom the ladies employed. In the Department of Street Cleaning they have issued twenty-five thousand cards in four different languages, for distribution in tenement districts, naming the hours when garbage and ashes will be collected; and during the summer of 1896, they turned their attention to fitting up several old wharves on the Delaware with settees and awnings, so that poor women and children might gain relief from the stifling heat of the city. At the same time the Civic Club, feeling that children, to be healthy, must have exercise, opened thirteen summer playgrounds, and obtained $5,000 from city councils to enlarge the work.

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In Pittsburg the Health Protective Association can boast of one most decided triumph. A law, recently passed by Congress, prohibits the dumping of garbage in a river or harbor improved by the United States Government. The city of Pittsburg, however, went on complacently emptying its garbage by the ton into the Alleghany and Ohio rivers. No thought of the discomfort and danger to health thus occasioned the population dwelling along the rivers disturbed the Board of Health; and when it was brought to their notice by a Committee from the Ladies' Health Protective Association, they excused themselves by saying, "Other cities throw their garbage into the rivers; and why should we be more fastidious than our neighbors?" After much hard work on the part of the Association, assisted by the Sanitary Commission, the law was enforced, and another way found to dispose of the refuse. Characteristic also of the work in Pittsburg is the attempt to arouse public sentiment against the smoke nuisance. One anti-smoke ordinance has been passed; but there is little effort made to enforce it. The women are constantly making complaint to the authorities; and recently they planned to take a test case before the courts.

There is one long-standing evil now beginning to claim public attention, the eradication of which all Health Protective and Town Improvement societies have made the object of their most persevering effort. This is the disgusting habit of expectoration in public places. Physicians have declared it to be a source of contagion; yet, until the women took it up, hardly any attempt had been made to stop it. Legislation on the subject is very difficult to secure, the habit being universal; and, in spite of appeals to city councils and officials of car companies, little satisfaction has yet been obtained. Some slight improvement may be observed in New York, Brooklyn, Pittsburg, and other cities, where women have brought this matter repeatedly before the Boards of Health, and have obtained the posting of prohibitory notices in many public buildings and conveyances. At a recent meeting of the Ladies' Health Protective Association in New York city, the subject was discussed with much animation; and a majority of the members declared their determination to give the car companies no rest until each conductor should be made responsible, as far as possible, for the condition of his car.

In addition to these societies, whose avowed aim is the care of the public health, other bodies of women are now enlarging their sphere of action to include this kind of work. A notable instance of this is the investigation of school-houses undertaken by the Association of Col-

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legiate Alumnæ of Boston. A committee of investigation was organized under the president of the Association, in April, 1895. Lists of questions were presented to the schoolmasters and teachers, from which tables of information were prepared. Mayor Quincy heartily approved the work and appointed a commission of experts to suggest improvements. Their report was presented to the Mayor in the spring of 1896; and the Boston "Herald" of March 20, 1896, commented on the work of the women as follows:

> "The record shows that every building about which there has been or is likely to be any question as to its complete sanitary fitness. . . . has been carefully studied. It comprises doubtless the only comprehensive statement that has ever been made of the condition of the school-houses in this respect, and therefore supplies information in a form wholly new and of great value."

Out of one hundred and eighty-six school-houses examined, only thirteen provided the required amount of air—thirty cubic feet per minute per pupil. The floors in 41 per cent of the buildings had never been washed, although many were from thirty to fifty years old. What wonder that there had been a larger death-rate among teachers in Boston than in any other city! Moreover, 5,053 cases of throat trouble, largely due perhaps to dust and poor heating and ventilation, were found among the children in one year. The investigation resulted in the condemnation of two buildings; while improvements in thirty-five, the cost of which would exceed $300,000, were deemed absolutely necessary.

Shops and factories have been made the subject of similar investigations in New York by the Working Women's Association, the Consumers' League, the Association of Collegiate Alumnæ, and the Ladies' Health Protective Association. Equally shocking conditions were found to exist in many of these places; the health of the employees, especially of the working-women, being further imperilled by long hours and the necessity of standing.

The Mercantile Inspection Bill, drafted by the Working Women's Association, and passed by the New York Legislature in 1896, limits the employment of women (under twenty-one years of age) in shops and factories to sixty hours per week, forbids the employment of children under fourteen years of age, and provides for proper sanitary arrangements in buildings.

The attention of ladies in England has been extensively attracted to this question of child-labor, and the condition of working-women. They found that women were contracting diseases which were transmitted to the next generation, and that the factory children were

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becoming stunted and sickly. A number of ladies rendered great assistance to the Labor Commission in a series of investigations, which resulted in several acts of reform legislation. This work is perhaps the latest development of a movement for the renovation of tenement houses set on foot in London as long ago as 1864, by Miss Octavia Hill. Her book entitled "Homes of the London Poor," which had so great an effect in rousing public sentiment, was written, no doubt, primarily, in the interest of sociology rather than of mere health; but, from the nature of the work, the two were closely related. Miss Hill, with the assistance of Mr. John Ruskin, converted the whole Marylebone district from a pestilential into a clean and decent neighborhood; while the Baroness Burdett-Coutts filled the Nova Scotia Gardens, one of the worst spots of London, with model dwellings. Their example has led to many similar experiments on both sides of the Atlantic. The publication of Miss Hill's articles in New York in 1876 initiated a movement for better tenements in that city; and the Coöperative Building Association of Boston, a joint-stock company of men and women, is working avowedly on the principles laid down by Miss Hill.

Chicago has the honor of having been the first city in the world to appoint women as sanitary inspectors. This was brought about through the efforts of the Trade and Labor Assembly of Chicago,—a body of twenty-five thousand men and women. Miss Jane Addams, head-worker at Hull House, is now inspector of the ward in which she lives; and marked improvement has been made under her care in the scavenger service and the small stables of that ward. The five bath-rooms in the rear of Hull House have also done much for the cleanliness of the neighborhood. The Trade and Labor Assembly has secured the passage of a law limiting child-labor and prohibiting the sale of cigarettes to minors; and much that this great organization has achieved in the name of temperance must be recognized as of infinite value in the cause of health.

The facts here presented are but few and isolated, compared with a host of others equally noteworthy; yet they indicate the widely diverse paths along which women are moving in the great work of sanitary reform. No account of their progress, however, would be complete without mention of another form of work less striking in its results, but of no less value. This is the study of the food question, with many practical experiments.

It is a well-known truth that the good health of a people depends largely upon its food; yet Americans are notorious for their careless-

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ness in this respect. They are confirmed eaters of pork and pastry, use too much grease in cooking, and eat hastily: as a result, they produce more dyspeptics than any other people. It is interesting to note that the first attempt in this country to show that cooking is a liberal science was made by the Woman's Educational Association of Boston, which was organized for the purpose of opening Harvard examinations to women. They established the Boston Cooking School in 1880, which, besides introducing Diet Kitchens for the sick, and sending out excellently trained cooks, awakened in Boston an interest in the subject of scientific cooking which culminated in the New England Kitchen.

In 1890 the Kitchen began in a small way to prepare nutritious dishes for the public, cooked in the best method, and sold at low profits. Each dish was made an object of study; and the Kitchen's beef broth, now so highly commended by physicians, was put on the market only after twenty careful experiments. Soon substantial lunches were furnished for clubs and school children; and their popularity has become so great that the Kitchen has been engaged by the city to supply lunches daily in at least eight schools, representing more than eleven hundred children. The Report for 1895 states that two hundred and fifty quarts of soup were consumed daily in school lunches, and that a taste for health bread and good puddings prevailed among the children; whereas formerly they had fed on pickles or pies. Within a few months parents and teachers observed a marked improvement in the children's health.

In Paris, Vienna, and many other places in Europe the public authorities have made provision of this sort for the health of their school children; but in America whatever has been accomplished in this direction has been due to the labor and sacrifice of the women. One offshoot of the New England Kitchen has been started in New York, another in Baltimore, and a third in connection with Hull House. They stand as examples of cleanliness in a tenement district. At first, the plates brought in by customers of the New England Kitchen had to be washed before they were fit to receive food. Now, this seldom occurs.

The study of dietaries, a work recently undertaken by women, has, thus far, little outcome, although it is opening the eyes of the public to many of the demands of health. One of our workers found that baker's bread formed 21 per cent of all the food eaten by many families among the poor; also that a so-called pound loaf of baker's bread was about one-third larger than the home-made pound loaf, the extra

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size being caused by excessive raising, which detracted from its nutritive value. It would be well for Health Boards to consider these as well as other truths revealed by the Ladies' Health Protective Association of New York regarding the general unsanitary condition of bakeries.

Chicago has been mentioned as the first to recognize the value of women as health officers. The University of Chicago has been the scene of a unique experiment in the interest of health. Complaints had frequently been heard of the poor health of students, and more particularly of the young women in colleges and universities. The deans of the women's dormitories of the Chicago University proved that this trouble might be very largely remedied, if sufficient care were taken in the selection and preparation of the students' food. Every effort was made to render the experiment fair and yet thorough. They secured the apparatus of the Rumford Kitchen from the World's Fair, as well as the assistance of its managers. After a test of six months, from October, 1893, to April, 1894, their report showed a varied bill of fare of nutritive food materials, and at low cost; while, as a practical result, nearly all the one hundred and six students "gained in weight, in general physical condition, and were able to work with less headache than usual." The kitchen department of these dormitories is now a model one, and is being copied by other universities and public institutions.

A very curious fact has been discovered by the writer in the preparation of this paper. The subject furnishes material for many more pages than may now be occupied, yet the public at large is astonishingly ignorant of the whole matter. When men and women, generally conversant with public affairs, are asked to name something accomplished by women in the cause of health, very few can give any definite answer. Fifty-three persons, among whom were college graduates and those interested in various kinds of philanthropic work, have been so questioned by the writer within the past few weeks. Thirty-eight could give no reply. Only three, who chanced to be intimately connected with prominent women's societies, could name more than two or three insignificant items. The majority of the answers given were very vague; the reason being that every attempt on the part of women to benefit the public is necessarily somewhat indirect. They do not hold the ballot, nor sit in legislative halls. Their only course is either to arouse public opinion or to present their cause to the public officials. Their part in public reforms is chiefly suggestive or coöperative. They can seldom of themselves carry anything to completion, as a Board of Health or a Street-Cleaning Department can do. Hence their work is

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frequently unmentioned in the public records. A definite account of women's work can be found only in occasional magazine or newspaper articles, or by searching the reports of their various organizations. Yet women are not dissatisfied with this mode of work. A prominent worker in the cause was heartily applauded by her hearers when she said: "We are working on this principle, that we may work less, and these people whom we have put in office may work more. We are doing altogether too much; and the men are willing that we should do it. We must stand behind to see that the men do their duty. We work for the enforcement of public cleanliness, and of law."

In glancing over these wonderful results gained by women, one cannot fail to be impressed with the fact that, in by far the greater number of cases, their deeds tell of evils overcome which would not have existed, had the proper officials done their duty. Perhaps the hope involves too great a change in our present system of machine politics; yet, if we may dare to hope that, some day, officials will not need so much urging and pushing, there will still remain much that women may do for the public health and happiness. This will be along the line of an intelligently applied science of housekeeping. From all over this country, from England, Belgium, and elsewhere reports come of the establishment of schools of household economics; of the thorough courses opened in universities; and of the great interest women are showing in the questions of home sanitation, pure water, food materials, the diet and care of children. The recent Congress of Mothers at Washington illustrates one phase of this growing interest. The women now flocking into the medical profession will do much toward fostering it; for women, as physicians, have been among the foremost workers in the cause. This great educational movement is one of the most hopeful signs of our times: it contains, without doubt, the brightest promises for the future.

EDITH PARKER THOMSON.

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AMERICAN ANNEXATION AND ARMAMENT.

HALF a century ago—in dreamy days still vividly remembered by many active in the affairs of our States and the nation—the children of America were taught in the schools, the newspapers, the churches, and in the fireside talks at home, that there was to be war in the world no more. The youth of our country read the histories of the great wars with a conviction that these things belonged to other conditions of human life and organized society. There had been great inventions that made for peace. The spirit of progressive Christianity was abroad: the sword would not devour forever. We Americans were especially exempt from the slaughter of the people wrought by the ambition of foolish kings. The solemn admonition of Washington, that we should avoid entangling alliances abroad, dwelt with us. Separated, as we were, by oceans and by ages from war as the natural occupation of a people, the elements of strife were lacking in our land of plenty and of liberty,—liberty marred only in part by the existence of a racial system of slavery in our midst.

What should or could we fear? Oregon at the mouth of the Columbia was ours. The mouth of the Mississippi was ours also; and orators were accustomed to say, as a climax, that our possessions extended from Maine to Florida. We were isolated in our own grandeur; and our free, popular government guaranteed us against the contention of communities. If we wanted anything settled, we had only to take a vote on it,—and there was the infallible Constitution of the United States. As for differences among sections, Andrew Jackson had threatened Calhoun with condign punishment if he crossed the line of national prerogative with the doctrine of nullification. Concerning slavery, Washington owned many slaves; and the Bible commanded servants to obey their masters. And as for cranks, they should be judged and dealt with according to law. We had liberty that would solve all troubles, though it had not been precisely proclaimed "throughout the land and to all the inhabitants thereof," according to the inscription on the Declaration of Independence Bell.

It is but half a century since we found ourselves at war with Mex-

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ico. Texas and California were added by the sword to our sisterhood of States; and there was a profound disturbance in Europe that sent Continental monarchs flying. After all, the volcanoes were not extinct. The great wars since those days have been that of the Crimea, in which England, France, Turkey, and Sardinia fought the statesmanship of Russia, and Turkey was preserved as a living Asiatic menace in Europe; then the war of France against Austria, culminating at Solferino; the war of our States that closed at Appomattox; the French invasion of Mexico; the war in which Prussia beat down Austria at Sadowa; the Franco-German war, in which Paris fell and France lost Alsace and Lorraine; and the war of Russia against Turkey, that roared around Plevna. There were the wars of the Mutiny in India, of the occupation of Egypt, of the fall of Khartoum, the wars to open the ports of China, the war in which Chili struck down Peru, the civil war in Brazil, the war in which Japan put China to the sword, the wars in Cuba, and the Turco-Grecian war.

No continent has been exempt; and the latest of this series of combats is not the least, so far as we are concerned. The increase of military and naval armaments within this generation has been beyond example. The armed nations, in their equipments for asserting themselves, have consumed the products of industry, and mortgaged the future for money to cover extraordinary expenditures for the machinery of destruction,—expenditures amounting to more than the cost of armies, fleets, fortifications, and the ravages of campaigning, from Bunker Hill to Waterloo. The world is learning war more than ever; and arbitrament of arms was never so costly as now.

The Turks, Austrians, French, Chinese, Peruvians, and Mexicans lost territory in the wars of the later half of the century. The Turkish losses became small kingdoms; the Austrians gaining two provinces and the Greeks one. The greater importance of the acquisition of Alsace and Lorraine by the Germans, has been the unquenchable enmity of France; and the symbol of it is the old statue of Marshal Ney in the park at Metz, musket in hand, as he faced the Russians on the retreat from Moscow. The statue of Strasburg crowned with mourning wreaths, in the Place de la Concorde at Paris, has not such sinister significance as the defiant figure of Ney on German territory. At night, in the electric light that glows near the French field-marshal, he seems to listen and almost to speak.

The greatest gain of land by the sword in modern times was that which we acquired from Mexico. We were particularly fortunate also

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in earlier and later days, in buying Louisiana from the French, and Alaska from the Russians.

In the same period England and Russia have obtained vast landed possessions, Germany has unified German States, and the Italian peninsula has crystallized into one kingdom.

Naturally the tendency of the times has been to the expansion of sovereignties, partly for the same reason that there has been an unexampled growth of cities and augmentation of popular demonstrations. These things result from the extension and perfection of railway systems; from telegraphy and cheap papers; from the manufacture of high-grade steel at low rates, permitting the erection of bridges and buildings otherwise impracticable; and from the improvement of the condition of the hosts of labor. The victories in peaceful conventions, not less than those on the fields of combat, make for the aggrandizement of empires and the concentration of peoples. Our Confederates fought against the stars when they took up arms against that consolidation which we call nationality, and which, with guarantees of popular liberty in republicanism and democracy, has in it the enduring and dominating substance of imperialism, that overcomes and expands and constructs and goes on to greater destinies. It is the rule of the many, not of the few, that is the stronger government. It is not the Czars and Kaisers, the Sultans, the Emperor-Kings, and the Empress-Queens, that are to be magnified in the future by our higher civilization; but the millions themselves shall be great, by reason of the conditions of equal opportunity and the discipline of common and inviolable order.

The world is no longer inaccessible and unknown to its inhabitants. It is explored, measured, traversed, until there is instantaneous communication between the old mysteries of the atlas. Some of our States, in cost of time and movement, are farther away from our commercial and political capitals and the clusters of our manufacturing industries than are England and France; but the States fronting the two great oceans are better acquainted with each other, and have a closer sense of companionship, than the counties of the older States—Virginia and New York, for example—had, before the steamboat, the railroad, the telegraph, and the telephone came to intensify the application of the ancient and honored motto, "E pluribus unum." If we are of New York, the nations of Europe are now more distinctly our neighbors than were the New-England States when the girl-queen, Victoria, was crowned; and there is a feeling in our great city, New York, that it is almost as

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much of a task to cross the East or North River, as to go to Boston or Chicago. Long Island Sound and the Mediterranean are much the same to the metropolitan and cosmopolitan.

George Washington knew more of the West than any man of his time; repeatedly visiting, especially in his youth, the Ohio country, the Allegheny, and the Kanawha; but he never contemplated the greater scope of our country as it is now—never realized that beyond the Mississippi was also a part of our land. He as little expected the Pacific to be our western boundary, as Columbus thought to find a new world on his way to Asia. We have grown far beyond the ambitious fancies of the Fathers—with the exception of Thomas Jefferson, who not merely purchased Louisiana, but sent out the Lewis and Clark expedition for the exploration of the remote regions in which the Missouri had its sources, and the fertile lands beyond the Rockies where rolled the unknown Oregon. We have had but few statesmen who grasped the grandeur beyond the policy of annexation. There was lack of statesmanship and assertion of natural right; otherwise we would have shut England off from the Pacific.

It is a reproach to our agents in authority that we have not Vancouver and the forests, waters, and gold-mines of Northwest Canada. Even Daniel Webster was slow to understand the value of our possessions on the Pacific. It was a fault of the grand old Whig statesmen that they did not appreciate the duty that waited upon all chances to take lands, to have and hold the advantages of them, and to assert the paramount policy of annexation; thus broadening the foundations of the republic that was to make liberty imperial and predominant.

It is true that our peculiar institution of slavery was an embarrassment; but whether or not it was the pro-slavery ambition that caused the war with Mexico and the magnificent country we appropriated, it was a wise and masterly stroke. Those who delivered it may have builded more wisely than they knew; but no blame attaches to workmen who do that. The opposition to the annexation of Texas was narrow, even if there was a little speculation in the Texas debt; and when we accepted as a State the France of America, the Americanization of the people was justification. New Mexico has not changed, and developed American characteristics, so rapidly as we could desire; but the example that, above all, vindicates the policy of annexation—not excepting Louisiana, Florida, or Texas—is California. We have nothing more priceless than the Golden Gate; but some of our statesmen shuddered when we got it.

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There were many criticisms when William H. Seward and Charles Sumner accepted the friendly offer of Russia to sell us Alaska. If they had not improved the happy moment, it never would have come again. Now, the American people would not tolerate the idea of selling that vast Northern reserve for our people in the future, with its forests, its fisheries, and mines, for one hundred times the sum we paid for it,—nor indeed for any sum at all. We never have annexed a bit of land we would dare to part with; and we never shall.

Cuba has always been highly estimated in the higher ranges of our public service; and it is a pleasure to recognize John Quincy Adams and Charles Sumner among those who knew that the last of the important Spanish possessions in this hemisphere was at least the greatest of the islands of America. It has been the plain common sense of history that, as Spain lost by her colonial system of regarding outlying possessions crown property, and ruling them by martial law, so she must lose Cuba in the same way. There is no escaping the law and logic of history. If she has not lost the island already it is only a question of time when she will do so. And then the United States must accept the duties of destiny. The failure to annex Hawaii, when only the vote of the Senate was wanted, was a capital error. When the pendulous foreign policy of President Cleveland swung the other way in the partially supposititious case of the Venezuelan boundary, there was an insufficient shadow of recompense on the shore of the Caribbean Sea for the grievous blunder in the Pacific. There was, however, an assertion of the expansion of the Monroe Doctrine—for which we should be grateful.

The war with Mexico was one that largely influenced our country for good. The Mexican land we won by the sword was beyond valuation, measured in precious metals. We had matchless good fortune in that. Our great civil war taught the people of the antagonistic sections to respect each other; and when the Union was reëstablished, our gigantic resources were revealed to the whole nation. The retirement of the French from Mexico, and the payment of the Alabama award by England, as well as our resumption of specie payments and the elevation of national credit, asserted with glorious achievements, confirmed, before consenting nations, our standing as one of the great Powers.

In the three latest wars, two of which have shaken continents historically older than ourselves, we are deeply concerned. We name first, as it is still going on and is nigh us, the war in Cuba. It is vain

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for the Spaniards to say that they alone are interested in and responsible for that island. We have an interest and responsibility in it, because it guards the Mediterranean of America; and the waters of more than half our States flow by the shores of Cuba, whether they reach the Atlantic by the Gulf Stream or by the Caribbean Sea. We have the right to stop, at our doors, savagery in warfare, and to protect the lives and property of American citizens; and we overshadow all this, and far more, with the right of the dominant Power in this hemisphere.

The war between Japan and China has disturbed the balance of power on the Pacific. Japan has become a conquering empire; and suddenly we find her engaged in promoting questions of dispute with the Hawaiian government and our own. She is anxious about the treaty rights in Hawaii in case of the consummation of annexation; and she is even troubled over our tariff. We must understand that she is now in our neighborhood, and has some advantages if she cares to pick and provoke a quarrel with us. She has a victorious army and navy of considerable strength. Her people are in Hawaii by tens of thousands, very conscious of their number, ability, and physical force. The point is, that she is in possession of the strength to overthrow the Hawaiian government while our Senate waits, and to argue the case of her treaty rights in the islands from the foundation of occupation.

The war between Turkey and Greece has made changes in Europe that may affect us more seriously than any other event abroad in the closing decade of the century. It is not improbable that the Emperor of Germany—the most restless and despotic spirit among modern monarchs—was the manager of that war; that he prepared the theatre, and supplied the actors. He visited Vienna at a critical time in the relations of the Powers; and then the Emperor of Austria made haste to visit the Czar of Russia. From that time there was concert between the Kaiser, the Czar, the Sultan, and the Emperor-King of Austria and Hungary,—the masters of the armed nations in which there is the least public opinion: there is so little of it, that imperial affairs are decided without reference to the sentiments of the people. The Austrian sovereign does not assert himself so absolutely as the others do in their respective dominions. But he has two Turkish provinces; and, as he wants more, he will maintain the concert. The Emperor of Germany is daily manifesting himself in disregard of all that is liberal and progressive in the German people; and he has the greatest military machine that the world has ever seen. Next to him in that respect is the Czar,—a young man in the iron grip of a system, with a million

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thoughtless bayonets. The Sultan has been rehabilitated. It is seen that he has an immense army, and that there is no better fighting material in Europe than that which composes it. Germany, Austria-Hungary, Russia, and Turkey are a portentous quadrumvirate of irresponsible despots. The Emperor of Germany does not like our form of government, and would be pleased, I have no doubt, to intrude in American affairs. The Germans displayed, eight years ago, in the case of Samoa, a tenacity difficult to understand. The mystery was, —what did they want in the Pacific? They have interests in South America and in the West Indies, especially Cuba, where, before the war, they sold a great deal of sugar-making machinery. They are ambitious to foster distant colonies, and to circle the earth with zones of Germanic influence. In England, France, and Italy there is public opinion. The radical republicans of Italy keep a close watch on the King and the Cabinet; and the former could not go far in following the Kaiser and the Czar without evoking agitation at home. France is exceedingly sensitive to popular influences; and that is the form in which her republicanism is acute. England is subordinate to public opinion. Yet these three Powers are so entangled in collateral branches of the Eastern Question, that they will do little or nothing to interfere with any enterprise undertaken by the Kaiser,— with the Czar, the Sultan, and the Emperor-King at his heels. There has not been in the records of the armed Powers such an array of representatives of personal government drawn up confronting free institutions.

Apply the fact to the conditions evolved,—the appliances employed that make the world a neighborhood of nations,—and can we fail to note signs that our equanimity may be disturbed, our complacency shocked? It would not be unlike the Emperor William to take an interest in Cuba. England does not regard her share of the West Indies so highly as she did even a few years ago; for latterly the sugar-producing islands have not flourished in English hands. It might very well happen that Germany, whose beet-sugar production has become a great industry, should care to have the cane competition in her charge. If, therefore, the United States should offer her good offices to Spain to secure the liberty and independence of Cuba, the Eastern despots might support Spain, whose Queen Regent is an Austrian. The Eastern Question may thus come West, and challenge us in the very waters where the dominance of the sea was fought for in the last century. And, at the same time, Japan might face us in the Pacific with the ancient Asian aggression opposing superior civilization.

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What will happen, if the Asiatic redundant population, instead of moving westward and finding land in Europe, as they did thousands of years ago, should turn eastward and contest with us the American shores of the Pacific? The Greco-Turkish war, the Chino-Japanese war, and the war that still lingers in Cuba are a combination of influences that may bring us into contact with the military monarchies of both Europe and Asia, through imperial questions raised at both Honolulu and Havana. This may not happen now; but in some form or other it is sure to come, and that soon. We are the dominant Power in half the world; and it is time our public spirit should overcome our inertia.

It is well worth while for us to consider that the combination of emperors growing out of the Greco-Turkish war is the most formidable alliance of military Powers ever formed. There are four great armies in it,—the Turkish, with half a million men, being the smallest,—and three considerable navies. The Kaiser and the Czar are young and inexperienced, and are not limited within defined responsibilities. Germany is the leader, and has the colonizing passion. This country is the one that would naturally appear to the mediæval mind of the Kaiser as the worst example of a wrong form of government; and other despots could hardly help agreeing with him.

We may be sure there will be more friction than there has been between us and other nations, because each year brings us closer together. We can send orders for goods to Germany by cable, and have them landed here within ten days of the date of the message. One hundred of the ships of war reviewed at Portsmouth in the course of Queen Victoria's Jubilee could be off our coast in a fortnight; they would have at Bermuda and Halifax an abundance of docks, stores, provisions, and ammunition, as well as all the machinery for handling and fitting out ships of war; and away down in the Caribbean Sea they would find another vast station of the same character. We should not count England as an enemy; but she is our only rival on this continent. She holds more continental land and more islands in the American hemisphere than we do; she is prepared for war both in the Atlantic and the Pacific; and we have a treaty with Great Britain that makes her a partner with us if we connect the oceans by a canal. The fleets of England and Japan could overpower our armed ships on both oceans, and inflict upon us infinite annoyance and damage. It is only recently that we have begun in earnest the work of manufacturing high-power artillery; —effective weapons under the modern conditions of coast defence;—

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and we have a provision as to the price of steel plates that retards the construction of the few battleships actually ordered. In 1814 the British ravaged the coasts of the Chesapeake Bay for months with their sailing ships, and finally made a rush and captured Washington. People did not believe then that such a thing could happen; but our public buildings were burned. The aggressive power of a fleet is increased tenfold by steam and steel; and now there are vessels for provisions and munitions of war, for coal and water, for hospitals and armories and troops. The command of the sea is a more portentous thing to the seacoast than it was eighty years ago. We are no better prepared now than then; while the property within reach of the steamers of steel and their long-reaching guns is an invitation to any enemy to inflict injury beyond estimation. The imperialism of England is to-day a considerable fact, and means more to us than to any other people except the English. We say English rather than British; for the evolution is of England. Already the English colonies are in sharp competition with us in producing food for the metropolitan centres of congested civilization. Australians have broken the markets of New York more than once. A cablegram to Melbourne brings butter by the thousand tons from the other side of our planet, where the grass is green all the year. Australia is not as far away in time and charges as Europe was in the middle of the nineteenth century. The English invested a great deal of capital in Argentina, and seem to have lost it; but the railroads they built and the ships they subsidized opened immense wheat-lands. Besides, the oceans are easy roads. Transportation from the South-American coast to the ports of Western Europe is cheaper than it is from Central North America, where there are elevator tolls. The Dakotas and Manitoba are no longer monopolists in the production of white bread. We agree now to protect the long staple cotton of South Carolina from the product of the cheaper labor and the richer soil of Egypt. England is all around us, with her Dominion of Canada, her fortresses, her naval stations, and reserves of material for armies and navies on the Pacific shore; her Leeward Islands, where, if the Venezuelan excitement had become dangerous, she was ready—and we were unready—for war. And while we have been talking in our sleep about Hawaii, England has occupied and possessed a score of islands in the greatest of the oceans, in the same spirit that she tried, a year ago, to capture a desolate South-Atlantic peak from Brazil. There was no space there for a dock; but there was the foundation for a coalyard and a telegraph station.

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We speak of a canal between the Atlantic and the Pacific, and some day we shall have one; but England has us engaged, in the Clayton-Bulwer treaty, to share the interocean facility with her.

We are sensible of the friendliness that the policy of England would cultivate with this country; but her splendid, grasping policy is selfishness defended in diplomacy and fortified with a fleet ready to appear in superior force in any sea. The very pith of this matter,—sympathy and closer union of the colonies of England with the mother-country,—marks with more definiteness the assured and haughty independence of our Union of States that once were colonies. We have already pronounced the irrevocable policy of the Monroe Doctrine. We have assumed a protectorate of Hawaii, and, for the second time, urge a treaty of annexation of those islands. We have claimed rights as a humane Power, with faith in self-government, and a consciousness of manifest destiny, to do the things counting for freedom and peace and the extension of our just influence in Cuba. Shall we take steps looking to retirement, or must we walk in the ways made familiar by those who established the zone of our national predominance across the continent, took Florida, and, touching the tropical climate of the Southern seas, moved north and west into the Arctic regions, so that from the eastern border of Maine to the western islands of the Aleutian group, we have in the summer days eighteen hours of sunshine on the land covered by our flag? Shall we not go on where the honors and the glories await us as the Power that is competent, if we will, to speak for half the globe? Once the Alleghanies were our western horizon; but we have crossed the space that divided the discoveries of Columbus from the lands of his dreams, where the east and the west are blended, like sea and sky, in the boundless blue of the waters and the air. Shall we retreat, when our colors stream and shine in the zenith of the arch under which is our planet's path?

The objection is made that we neither have nor can have, under our system of States, anything but States and Territories. We, the people of the United States, however, ordained a Constitution to establish "a more perfect Union"; and that very Union was triumphant, through the conquest of States whose statesmen had made the Union greater than the States. And the continuance of the policy of annexation only invites us to be masterful in peace. We need to formulate a colonial system, and then the precedents that should be everlasting examples. Thomas Jefferson saw that if the Constitution was not equal to the occasion of the absorption of the Louisiana purchase, there was a higher

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and a more fundamental law—our inheritance—written over the continent, in rivers and ranges of mountains, in plains and valleys, and that, therefore, the Constitution would have to be accommodating. No parchment can forbid the march of mankind. Our territorial system has served us well. It has yielded thirty-two States, each as sovereign and inviolable as the others; and there is no primacy by reason of seniority. The Hawaiian treaty still before the Senate offers another solution; and the proposition to make Cuban bonds good, by collecting customs through our agents in the ports of the island, offers a far-reaching suggestion.

We need to be armed as becomes a great Power; not for military aggression, as our volunteers have always been and will prove to be sufficient for that. But, whether we include the American islands in the scope of our sovereignty or not, we need to equip ourselves with effective artillery, and to augment our fleet with such energy as we would display if we knew there was an emergency at hand. We should have a squadron for the Atlantic and another for the Pacific, each competent to confront all enemies that might be moved to command our waters and threaten our cities by the sea. It is false economy not to prepare such a fleet. We should have it as a guarantee of peace, as a measure of economy to guard against the profligate weakness of surprises.

Now is the time to provide armaments. We are one of the great Powers. This fact should appear elsewhere than in our statistical tables and on the maps. We should care nothing for the "balance of power" in Europe. That is a matter of locality and detail. We should have no concern how Africa, Asia, or Australia is cut up. But the American islands are ours for the hereafter; and we should, in good time, annex Cuba, as we annexed Florida, Texas, and California, and add her tropical riches to the arctic resources of Alaska, so that all the zones may be included in the patrimony of our people.

It is the logic and lesson of current history, that the greatest of wars are to come; for the nations are spending money, time, and toil in learning war, with an extravagance incessantly increasing as the later years of the century are numbered. We should heed the humiliation of China by the inferior force of Japan,—a discomfiture due to insufficient equipment. It is but our duty.

MURAT HALSTEAD.

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THE SUPREMACY OF RUSSIA.

"Russia's actual movements and her conjectured intentions now form the alpha and omega of international politics. . . . Ostensibly they [the Powers of Europe] may league themselves together for the purpose of thwarting certain of Russia's presumed aims; but secretly they outbid each other in offers for her friendship. They may insure themselves and each other at enormous cost; but they never feel safe unless they have privately reinsured themselves at St. Petersburg. Their whole policy is summarized in their relations with the empire of the Czar."

E. P. DILLON, in the *Contemporary Review* for January, 1897.

CZAR ALEXANDER III was familiarly known as the peace-keeper of Europe: his son, Nicholas II, bids fair to be its peace-breaker. For the last sixteen years, at least, Russia has thus been the determining Power in Europe. Great Britain, which in 1878 was strong enough to compel Russia to annul the treaty of San Stefano, has since then fallen behind in the race; and Germany, despite all the efforts of her present ruler to imitate the worst practices of the worst of the Czars, has not been able to take her place. This momentous fact being beyond doubt, it seems worth while to consider (1) how Russia arrived at her present supremacy, and (2) what it means for the future.

The history of Russia's rise to greatness is long and eventful; and we must sketch it in the barest outline.

In the beginning of the thirty-ninth chapter of Ezekiel (Revised Version) we read, "Thus saith the Lord God: Behold I am against thee, O Gog, prince of Rosh, Meshech, and Tubal: I will turn thee about, and will lead thee on, and will cause thee to come from the uttermost parts of the north." That in "Rosh" and "Meshech" we have here the most ancient reference to the Russians and Muscovites, has been maintained in ancient and modern times,[1] and seems almost certain. In the time of Ezekiel (B.C. 590) the tribes Rosh and Meshech were settled to the south of the Caucasus. When next we hear of the Rosh, it is under the

[1] See FÜRST, "Hebräisches Handwörterbuch," under "Rosh" and "Meshech." It is just possible that in Homer, "Iliad," x. 434 *et seq.*, we have in Rhesos, the Thracian king, with his horses "whiter than snow and swift as the wind," a still older reference to the Russians. That *Rosh* means racers, is shown by the Greek rendering Δρομῆται. Rhesos=Horsa.

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name of Roxolani.[1] Strabo, writing about the time of Christ, speaks of them as "the remotest of the known Scythians," living between the Don and the Dniepr, that is, in the centre of Russia; and they are mentioned in the two following centuries by Pliny, Tacitus, and Ptolemy. After this, they vanish from history for a long time; having, along with the Finns, been driven northward by the Wendic or Slavic hordes, who, soon after the Christian era, began to spread over the steppes of Russia. In the ninth century they reappear, as Rosh (Greek Ῥῶς), inhabiting Ros-lagen, in the east of Sweden. Hence, at the time of the great Scandinavian exodus, when Great Britain, Normandy, Italy, and Sicily were overrun by the Northmen, they forced their way back into Western and Central Russia, and even as far as Constantinople, where, under the name of "Varangians" or "Warings" (*Βάραγγοι*=Norse *Væringyar*, *i. e.*, confederates), they became the body-guard of the Emperors. They are first mentioned as "Rosh" in 839. Twenty-three years later, in 862, under three chiefs, Rurik, Sineus, and Truvor,[2] they effected a permanent settlement in the country to the south of the Gulf of Finland, where Rurik founded the city of Novgorod, and, with it, the Russian Empire, which bears the name of his people.

This empire, then, is somewhat over a thousand years old,—a few years older than the kingdom of Hungary, which celebrated its millennium last year. It was founded by Norsemen, men of Germanic blood, for the organization of rude tribes of Finns and Slavs, many of them still nomads, and all, apparently, pagans. From the days of Rurik on, large numbers of Russians, that is, Norsemen, flocked into Russia; and, though they soon adopted the language of the Slavs, they continued to feel their distinction as a ruling race. In the century following 862, they greatly extended their dominion, and even made successful war upon the Eastern Emperor.

In 957, Olga, the widow of Rurik's son Igor, was baptized in Constantinople, and undertook to introduce Christianity among her people.[3] Although she was but moderately successful in this, even her son remaining

[1] Latin for the Finnish *Ruotsalainen*, the name given to the Swedes; *Ruotsi* being Sweden, and *lainen* a Gentile termination. See GRIMM, "Gesch. der deutschen Sprache," Vol. ii, p. 520.

[2] So says the "Chronicle" of Nestor, written about A.D. 1100. Rurik is the common Norse name, Hrærekr, which Saxo Grammaticus turns into Roricus. See ZEUSS, "Die Deutschen und die Nachbarstämme," p. 555.

[3] It had been introduced nearly a century earlier among the Southern Slavs, by the brothers Methodius and Constantine (Cyril).

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a pagan, the importance of the event can hardly be overestimated. To a large extent it brought the Russians under Byzantine influence; suggesting to their rulers notions of autocracy, and saddling them with the stiff, formal, unprogressive Christianity of the Greek Church. In this way it separated Russia from the rest of Europe by a chasm that has not yet been bridged, and will not be for many years to come. Indeed, the peculiar attitude which Russia occupies toward the rest of Europe is mainly due to her ancient connections with Constantinople. While Western Europe derived its Christianity and, in large measure, its civilization from Rome, with her splendid traditions of virility and justice, Russia borrowed hers from an empire decrepit from its birth and corrupt in every member. While, in the West, the church practically absorbed the state and so was able to unfold freely into a great dominating force of a spiritual sort, in the East it was nearly always a mere department of the state, subject to petty political interests, and incapable of any free development or spiritual influence. Hence it was that, while the West advanced from dogmatizing patristicism to subtle, dialectical, systematizing scholasticism,—the unconscious but mighty precursor of modern philosophy and science,—the East sank more and more into a lifeless, unreflecting traditionalism, fatal to all intellectual progress. Thus was Russia separated from the spiritual life of Europe, and condemned to blind fanaticism and feeble, ascetic piety.

In 980, Vladimir the Great, grandson of Olga, the first prince who ruled over the whole of the Russians, forcibly made Christianity the official religion of his empire, and, like Charlemagne, tried to introduce learning among his people. His son Yaroslaff, who ruled from 1019 to 1054, followed in his footsteps; so that, in the middle of the eleventh century, Russia, so lately the home of confusion and conflict, seemed on a fair way to stable unity and civilization.

But troublous times—conflicts within and without—followed. The peoples to the west, Poles, Lithuanians, Danes, and Germans, attacked her, rending away large tracts of her territory; while, partly as a result of this, she broke up into a number of independent states, all governed by descendants of Rurik. Some of these prospered and built capitals, chief of which was Moscow, founded in 1147; and there is every reason to believe that, in course of time, some one of them, gaining ascendency, would have restored unity to the empire. But ere this could be done, a new calamity befell the nation; threatening its very existence, and, though finally overcome, deeply and permanently affecting its character and institutions. This was the invasion of the Tatars, which took

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place in the first half of the thirteenth century, under the world-conqueror Genghis Khan and his successors. These Tatars, whose original home was on the upper Amoor, overran the greater part of Russia with fire and sword, built a capital on the lower Volga, and compelled the conquered states to pay them tribute. All resistance being for the time hopeless, the princes of these states soon began to vie with each other in courting the favor of the Khans, and in making matrimonial alliances with their families. Those who succeeded best in this used the power of their masters to depress and further enslave their less fortunate, or less crafty, brethren; making common cause with the ruthless Tatar Khans, imitating their rude, domineering habits, and adopting their despotic attitude toward their subjects, now almost reduced to slavery.

The most successful of these Tatarizing princes were the lords of Moscow. These having, through Tatar influence, gained supremacy over the neighboring states, even over Rurik's capital, Novgorod, and having built up a powerful army, at last, after more than two hundred years of servitude, felt strong enough to turn against their oppressors,—enfeebled by tribute-engendered sloth,—and to declare themselves free. This took place in the latter half of the fifteenth century, under Ivan the Great, who reigned from 1462 to 1505. As this prince initiated a new era in Russian history,—being, in fact, the founder of the Russian Empire, in the true sense of the word,—we must pause for a moment to consider his achievements, and the new elements and ideals which he introduced into Russian policy.

The nation founded by the Norse pagan Rurik had been a nation of freemen; honoring their chiefs, indeed, when these were brave and worthy, but rebelling against them with the utmost vigor, when they were otherwise. The empire founded by the Christian Ivan, on the contrary, was an empire of subjects, governed despotically by an irresponsible sovereign, claiming to derive his authority from supernatural sources. A greater change, or, from a certain point of view, a more pathetic one, can hardly be imagined. And yet it was unavoidable. The weakness of the government founded by Rurik had been demonstrated in the most emphatic and painful way; first, by the breaking up of the nation into independent and often mutually hostile states; and, second, by its powerlessness, when thus self-divided, to resist invaders. The conquests of its Eastern neighbors and the long, degrading thraldom to the Tatar were object-lessons, whose meaning could not be mistaken or forgotten.

It had become obtrusively plain that, if Russia was ever to assume

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the position of a great, free, progressive nation, she must be strongly united internally, and must present a bold front to her neighbors, east and west. To accomplish this was no easy matter, owing to the heterogeneous character of the Russian people, their different grades of civilization, their jealousies, and their tendencies to internal strife. But Ivan, fully comprehending the difficulty of the task, nevertheless undertook it, and spared no effort to accomplish it. And there were favorable circumstances in the case. In 1453, nine years before his accession, Constantinople had fallen into the hands of the Turks, and the Greek Empire had come to an end. Feeling that, if he could succeed to the place of the Greek emperors, take over Byzantine civilization, and make Russia the chief bearer and champion of Greek, or orthodox, Christianity, he would greatly add to his own prestige and authority, give his people a place among the nations of Europe, and become master of the most powerful of all means for the consolidation of his empire, he set to work with the utmost energy and deliberation to accomplish these ends. In 1472 he married, by proxy, in St. Peter's at Rome, Sophia Palæologina, belonging to the elder branch of the Byzantine imperial family; and, in consequence, he adopted, as the Russian arms, the double-headed eagle of Constantinople—a circumstance of obvious and far-reaching significance. Thereupon he used every effort to make Russia heir to the authority, culture, literature, art, and traditions of the fallen empire, and to secure to her that primacy in orthodoxy which had belonged to it. In a word, without openly claiming that the Eastern Empire had merely removed its capital, for safety, to Moscow, he tacitly made that assumption and acted upon it, as his successors have done ever since. There is no fact in Russian history more necessary to be borne in mind than this: Russia claims to be the heir of the Eastern Empire, and of all that that implies.

Thus Ivan the Great, setting out with the despotic pretensions of the Tatar Khans, sought to legitimize these by posing as heir to the Eastern Cæsars, and to invest them with divine authority, by claiming to represent the cause of God upon earth. Armed with these credentials, he did his best to unite Russia politically and religiously or spiritually. His purpose was beneficent, and his scheme eminently suited to the needs of the time; but, being violently imposed on the people from without, it proved a mere external bond, finding no response in the hearts of the people, and producing neither political nor religious[1]

[1] The Russians were practically pagans far into the thirteenth century; and to-day, despite their nominally Christian fanaticism, the case is not very different.

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life. Politics consisted in the will of the despot; religion in superstitious beliefs and observances. In spite of this,—nay, perhaps by reason of it,—Ivan attained great results. He entirely threw off the yoke of the Tatar (1480), united under his sceptre a large portion of disrupted Russia, including even the kingdom of Novgorod, and settled his nation's chief policy for all time to come. And his successors walked in his footsteps. His grandson, Ivan the Terrible (1533–1584), drove back the Tatars, conquered Astrakhan, Kazan, and a large portion of Siberia, rigorously (not to say cruelly) suppressed insurrections at home, made his way to Archangel, on the White Sea, introduced printing, and assumed the title of Czar (*Kaiser*, *Cæsar*). With the death of his son, Feodor[1] (said to have been poisoned), in 1598, the line of Rurik, after ruling for over seven hundred years, ceased to exist; and there followed fifteen years of conflict, confusion, and distress, aggravated by a decimating famine.

At length, in 1613, the nobles, tired of anarchy, met and elected as Czar, Michael Feodorovitch, connected with Rurik through his grandmother. This ruler, the founder of the Romanoff dynasty still reigning, did much to develop the resources of Russia, and extended (1639) its borders to the Pacific Ocean. His two sons, Alexis and Feodor, continued his work; and, on the death of the latter in 1682, there came to the throne the most gifted man, and the ablest ruler, that the nation ever produced—Peter the Great. Before we pass to him and the new era which he initiated, it will be well to call attention once more to the political aim of the rulers, from Ivan the Great to Feodor,—from the defeat of the Tatars to the advent of Peter. This aim was, simply and solely, the greatness of Russia, the conditions of which were harmony within and freedom of attack from without. To realize the former of these, they ruthlessly suppressed every attempt at rebellion or separation: to insure the latter, they attacked and conquered all the dangerous roving tribes of the East as far as the Pacific. In speaking of Russia's "lust of conquest," we are apt to forget that she had no choice in the matter, and that Europe owes her an immense debt of gratitude for cutting off the springs of one of the greatest evils that ever threatened her. If Europe is no longer subject to devastating inroads of Turks and

[1] Curiously enough, it was under this last of the direct descendants of Rurik that serfdom, so abhorrent to the free Norseman, was first introduced into Russia (1593). It was rendered necessary by the fact that the Northern peasants persisted in wandering off to the fertile lands in South Russia, recently redeemed from the Tatar. The serfs have nearly always been Slavs (hence, "slave" "*esclave*"), not Norsemen, Finns, or Germans.

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Tatars, it is to Russia that the credit is due. The two essential conditions of Russia's greatness are sufficient to account for her policy at home and abroad,—her internal despotism and her external conquests.

But to return to Peter. If Rurik had delivered Russia from internal anarchy, and Ivan had redeemed it from external barbarism, Peter launched it on the path of positive civilization. He was its third founder, and the creator of all that is best in it. It is not necessary to enter here upon the details of his schemes and achievements, so romantic in their interest. Suffice it to say, that he found Russia mediæval and left it modern,—Oriental, and left it far on its way toward Occidentalism. He did his best to introduce among his countrymen all the enlightenment, institutions, and appliances of Western civilization. To draw the fangs of the obscurantist, obstructive church, he abolished the Russian patriarchate; replacing it by a Holy Synod, plastic to his touch. He showed the utmost contempt for the claims, traditions, and prejudices of the nobility, learnt handicrafts, divorced his aristocratic wife, married a peasant girl, dethroned his elder brother, cloistered his ambitious aunt, put to death his rebellious son, extended on all sides the dominion of Russia, secured it a leading place among the nations, and, in 1721, assumed the title of "Peter the Great, Emperor of all the Russias, Father of his Country."

The reforms of Peter, like nearly all the progressive movements in Russian history, though in the end highly beneficial, were marred by two capital defects: they were imposed from without, and they were far too sudden. It is a strong testimony to the plastic, improvable character of the Russian nation, that they did not produce utter and irremediable confusion. Some confusion they have, indeed, caused; for, since the days of Peter, there have been in Russia two well-defined disruptive, spiritual tendencies drawing her asunder in different directions: the one to Orientalism, the other to Occidentalism. The former seeks to cultivate a narrow Russianism or Slavism, with an inert official church to attend to spiritual interests, and a rigid imperial despotism to manage political matters, leaving to the people only the narrower material concerns of social and domestic life; while the latter aims at elevating the whole people into spiritual and political autonomy, with free thought and popular government. These tendencies triumph alternately; and the policy of each Czar is mainly determined by the one for which he decides.

Peter the Great died in 1725; but his work was continued by his successors. The ablest of these in the eighteenth century was Catherine

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II (1762–1796), who, being by birth a German, introduced some fifty thousand of her countrymen into Russia, and, in all other ways, did her best to Germanize it. She greatly increased the territory of Russia, improved legislation, established schools, patronized literature and learning, and left her empire one of the great Powers of Europe. The next great sovereign was Alexander I (1801–1825), who, beginning life as a favorer of Occidentalism, and doing his best to impart to his country all the advantages of Western civilization, gradually veered round to the very opposite extreme. He first opposed Napoleon, then made an alliance with him for the bipartition of the Old World, and then again turned against him. The result of this was the invasion of Russia (1812), in which Napoleon's army was almost annihilated. Alexander, having then headed a coalition against him, whose efforts resulted in the decisive victory at Leipzig in 1813, was hailed with the utmost enthusiasm as the "deliverer" of Europe,—a fact which secured to Russia a leading place in its subsequent councils and policy. Having, as he thought, seen enough of Occidental liberalism and its effects, he reverted to complete absolutism, and brought about the "Holy Alliance," whose aim was the suppression of all liberal movements and the furtherance of universal despotism.

At his death, Alexander was succeeded by his brother, Nicholas I (1825–1855), known as "the Iron Czar," who for thirty years maintained unswervingly the same policy, vigorously putting down all efforts for political freedom. Russia, as the result of this, escaped the revolutionary disturbances of 1848; and, thus finding herself the strongest Power in Europe, she began to think that the time had come for realizing her long-cherished project of completing the conquest of the Tatars and openly claiming the inheritance of the Eastern Empire, by adding Turkey to her dominions. To her surprise, she found herself opposed by England, France, and Sardinia; and the Crimean War (1853–1856) was the result. Having, still more to her surprise, been defeated in this, she was fain to lay the blame for her disgrace, not upon herself, but upon the despotic methods of her ruler, who himself seems, on his deathbed, to have acquiesced, in utter disappointment, in this conclusion. His successor, Alexander II (1855–1881), took the lesson to heart, made a sudden and disadvantageous peace with the hostile Powers, and reverted to Occidental liberalism. In 1861, he took the first step toward the disenthralment of his subjects by emancipating forty millions of serfs. Encouraged by the success of the Russian arms in the war with Turkey in 1878,

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and by the example of constitutional England, still strong enough to compel the abrogation of the San Stefano treaty, he was on the very eve of convoking a deliberative assembly,—the first step toward a constitutional parliament,—when thoughtless, impatient nihilism, a fungoid, night-born excrescence of stunted liberalism, put an end to his life. No more stupid crime was ever perpetrated. No sadder disaster ever befell Russia.

The next Czar, Alexander III (1881–1894), though at first inclined to continue his father's policy, allowed himself to be so intimidated by the plots of the Nihilists as to change his mind; and, seeing no hope in reverting to the iron absolutism of his grandfather, he resolved upon standing still,—doing nothing himself, and forcing others to do nothing. Thus, for thirteen years he pursued a course which earned for him the title of the "peace-keeper of Europe." He might, with equal justice, have been called the peace-keeper of Russia: for, under his rule, nihilism, that peculiarly Russian product, hid its head, and the strong antagonisms underlying the national life virtually concluded a truce. Meanwhile Russia grew in strength and prestige, so that, slowly and insensibly, the universal consciousness has come to recognize that she is the leading Power on the elder continent.

And this is no delusion, whatever vague apprehensions it may inspire: Russia to-day holds the political supremacy of the Old World. Nor, if we follow the course of her thousand years of history, here sketched in the barest outline, and consider her natural conditions, is it difficult to see how this has come about. Starting in the ninth century, under Norse chieftains, Russia in the next four hundred years developed into a considerable nation,—a nation of warlike freemen, governing a large population of nomadic and agricultural Slavs and Finns. Toward the end of this time, in true Norse fashion, it broke up into a number of independent states, and thus, greatly weakened, became a prey to the Tatar hordes which poured into it in the thirteenth century. Under Tatar domination, which lasted for over two hundred years, the Russian chiefs, imitating their masters, assumed despotic power over their helpless subjects; and when, at last, the Grand Prince of Moscow was able to throw off the yoke of the Tatar, and subject a large dominion to his own authority, he found this power necessary in order to hold together his demoralized subjects, and to protect himself and them against the recurrence of barbarian conquest. One of his successors, in order to increase and hallow this power, invested himself with the divine authority of the fallen Eastern Empire and Church, and, under

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cover of this, claimed unconditional obedience. In this way the will of the ruler became the bond and organizing principle of the Russian state, which, thus unified and strengthened, gradually extended its boundaries over all the vast regions from which barbarian inroads might be feared.

But this strength was gained at great cost. To maintain it, the people of Russia had to be kept in a condition of ignorance, superstition, and passive obedience to a single will; a condition which, in the face of Western civilization, could not possibly be lasting. Recognizing this, Peter the Great made a gigantic effort to elevate his countrymen into freedom, by making them sharers in that civilization; thereby introducing among them an element utterly incompatible with their previous condition. Since his time, the history of Russia has been an oscillatory effort to combine Oriental absolutism with Occidental constitutionalism, to find a means of making her people free without undermining the unity and strength due to despotism. The task has proved one of extreme difficulty; and it is but fair to the Czars to say that, whatever may have been their mistakes in judgment, they have, on the whole, honestly and steadily kept it before them, going forward as far as they dared, and then shrinking back in dismay on seeing the results of their own audacity. If they have all insisted on keeping intact the autocratic power until the nation show itself capable of holding together, in undiminished strength, without it, this cannot surely be made a reproach to them. It is to this insistence that Russia owes her supremacy in Europe to-day. She is strong because she is unified by a single principle, organizing and functioning with ease and rapidity: she is influential because her vast forces are wielded by a single will.

Having thus discovered how Russia arrived at her present supremacy, we can deal briefly with the second question we proposed to ourselves: What does this supremacy mean for the future? We may, indeed, answer at once: That depends upon what it shall stand for. If Russia is to go on maintaining and championing despotism; if she is to ally herself with other despotisms for the suppression of all liberalism in the Old World,—then her supremacy must prove the greatest possible calamity to all that civilization means. If, on the contrary, she shall proceed cautiously along the path marked out by Peter the Great, Catherine II, and Alexander II, and shall gradually substitute the noble, moral bond of freedom for the coarse, material one of despotism, and, in so doing, shall profit by all the rich experience of the Western nations without losing her own individuality and becoming a

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mere imitator,—then her supremacy will be what the Old World most needs and craves.

It must be admitted that, at the present moment, the outlook is gloomy; that the new, young, and inexperienced Czar seems to have been lured by unwise and cunning counsellors back into the "dark forest" of reactionary absolutism and obscurantism. If, while this continues, Russia should, in any profound way, shape the political and social movements of Europe, great evil might be wrought. But, at best, it could be only temporary; for there is nothing more certain than this: that, with her present, external, unnatural, and historically obsolete bond of union, she cannot long maintain her supremacy. She could do so only by disowning and obliterating all the civilizing work of Peter the Great and his successors; crushing out education, intelligence, and the natural desire for freedom, building a Chinese wall to exclude the inroads of Western culture, and converting herself into a nation of ignorant, superstitious, grovelling slaves, ruled with a rod of iron by a brutal Tatarized Czar,—in a word, by returning to pure Orientalism. But this is absolutely impossible, so long as St. Petersburg, with all that it means, stands over against Moscow.[1]

Cultivated Russia—and she is daily becoming more cultivated—demands freedom and constitutional government; and this she will sooner or later acquire, by fair means or by foul, by gradual evolution or by sudden revolution. That, in the process, there will spring up serious difficulties, in which she may temporarily lose something of her strength, is not unlikely; but what she loses in strength she will gain in prestige and in foreign sympathy. In any case, she has no choice in the matter: she must go forward or perish from among the nations. No doubt, at some no distant day she will go forward; and there are peculiar circumstances in her case which must greatly aid in making her progress safe and successful: (1) The complete, almost superstitious, devotion of the lower classes to the Czar, and their consequent plasticity in his hands; (2) the high culture, broad humanity, and freedom from conservatism of a large section of the upper classes, which would enable them to undergo a political metamorphosis far more easily than older and more stiffened peoples; (3) the village communities, with their rudiments of self-government, and their remedy for landless, homeless proletarianism, such as threatens the peace of Western

[1] The former is the acknowledged representative of Occidental liberalism; the latter, of Oriental despotism and narrow, unintelligent Slavophilism, which forgets that all that is great in Russia is due mainly to men of Teutonic race,—Norsemen and Germans,—not to Slavs at all.

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Europe; (4) the compactness, combined with vastness, of the Russian Empire.

With these advantages, all that Russia requires is a far-sighted, heroic Czar who, comprehending the needs of to-day, as Peter the Great did those of two hundred years ago, shall complete the work begun by him, commit Russia irrevocably to Occidentalism and liberalism, and thus earn for her the sympathy and respect, instead of the jealousy and dread, of other nations. Should such a Czar arise, it would be wisdom on the part of Europe to allow Russia to gratify her two legitimate ambitions, in the pursuit of which she has been hitherto thwarted, especially by Great Britain. These ambitions are: (1) To complete the subjugation of the barbarous Tatars by annexing Turkey to her dominions; and (2) to possess ice-free ports for the development of a navy and of merchant-shipping. While, as despotic, she ought to be thwarted in every way; as liberal, she ought to enjoy all the rights of liberal nations, and be permitted to have her own way in Turkey and China, just as England has had hers in Egypt and India. A liberal Russia, with her long-cherished ambitions once satisfied, would be not only the peace-keeper of Europe, but also one of its most potent civilizing influences; equalling, perhaps surpassing,—so gifted is her people,—the other nations in culture, humanity, and righteousness. But whether Russia is to be blest with a liberal Czar or not, there is no reason to fear her supremacy. If she remain coarsely despotic, it cannot last: if she become liberal, it can be only a blessing.

THOMAS DAVIDSON.

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THE HISTORICAL NOVEL.

WHEN Robert Louis Stevenson wrote his "Note on Realism," and declared that "the historical novel is dead," he did not think he would live to be the author of the "Master of Ballantrae." But when Prosper Merimée expressed to a correspondent his belief that the historical novel was a "bastard form," he could look back without reproach upon his own "Chronique de Charles IX,"—one of the finest examples of the kind of fiction he chose to despise. Whether or not most readers of English fiction at the end of the nineteenth century approve Merimée's opinion, that the historical novel is illegitimate by birth, few of them will agree with Stevenson in deeming it defunct. If we can judge by the welcome it receives from the writers of newspaper notices, it is not moribund even; and, if we are influenced by the immense sale of "Ben Hur" and by the broadening vogue of "Quo Vadis," we may go so far as to believe that it was never stronger or fuller of life.

We might even suggest that the liking for historical fiction is now so keen that the public is not at all particular as to the verity of the history out of which the fiction has been manufactured, since it accepts the invented facts of the Chronicles of Zenda quite as eagerly as it receives the better-documented "Memoirs of a Minister of France."

More than any other British author of his years, Stevenson worked in accord with the theories of art which have been elaborated and expounded in France; and it may be that when he declared the historical novel to be dead he was thinking rather of French literature than of English. There is no doubt that in France the historical novel is not cherished. No one of the living masters of fiction in France has attempted any but contemporary studies. M. Daudet, M. Zola, M. Bourget, find all the subjects they need in the life of their own times. Flaubert's fame is due to his masterly "Madame Bovary," and not to his splendid "Salammbô." So sharp is the French reaction against romanticism that even impressionist critics, like M. Jules Lemaître and M. Anatole France, do not overpraise the gay romances of the elder Dumas, as Stevenson did. In France, the historical novel has no standing in the court of serious criticism. As Merimée wrote in the correspondence

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from which one quotation has already been made,—"history, in my eyes, is a sacred thing."

Historical fiction suffers in France from the same discredit as historical painting, and for the same reasons. It is either too easy to be worth while—a French critic might say—or so difficult as to be impossible. When a young man once went to Courbet for advice, saying that his vocation was to be a historical painter, the artist promptly responded: "I don't doubt it; and therefore begin by giving three months to making a portrait of your father!"

Perhaps French opinion is nowhere more accurately voiced than by M. Anatole France, in the "Jardin d'Épicure":—

> "We cannot reproduce with any accuracy what no longer exists. When we see that a painter has to take all the trouble in the world to represent to us, more or less exactly, a scene in the time of Louis Philippe, we may despair of his ever being able to give us the slightest idea of an event contemporary with Saint Louis or Augustus. We weary ourselves copying armor and old chests; but the artists of the past did not worry themselves about so empty an exactness. They lent to the hero of legend or history the costume and the looks of their own contemporaries; and thus they depicted naturally their own soul and their own century. Now what can an artist do better?"

In other words, Paul Veronese's "Marriage at Cana" is frankly a revelation of the Italian Renascence; and this revelation is not contaminated by any fifteenth-century guess at the manners and customs of Judea in the first century. It is difficult to surmise how some of the laboriously archæological pictures of the nineteenth century will affect an observer of the twenty-first century. As in painting, so in the drama: Shakespeare made no effort to suggest the primitive manners and customs of Scotland to the spectators of his "Macbeth"; and if the characters of "Julius Cæsar" are Roman, it is chiefly because of the local color that chanced to leak through from North's "Plutarch." What Shakespeare aimed at was the creation of living men and women,—interesting because of their intense humanity, eternal because of their truth and vitality. He never sought to differentiate Scotchmen and Danes of the past from Englishmen of the present. He lent to all his personages the vocabulary, the laws, the usages, the costumes which were familiar to the playgoers that flocked to applaud his pieces. Archæology was unknown to him and to them; anachronism did not affright them or him. Probably he would have brushed aside any demand for exactness of fact as an attempt to impose an unfair restraint upon the liberty of the dramatist,—whose business it was to write plays

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to be acted in a theatre, and not to prepare lectures to be delivered in a college hall. Shakespeare and Veronese, each in his own art, worked freely, as though wholly unconscious of any difference between their own contemporaries and the subjects of the Cæsars.

The compilers of the "Gesta Romanorum" had no conception of the elements of either geography or chronology; and the authors of the Romances of Chivalry seem to have been as ignorant, although their scientific nihilism is perhaps wilful,—like Mr. Stockton's when he tells us a "Tale of Negative Gravity." The essential likeness of the Romances of Chivalry to the "Waverley Novels" has been pointed out more than once; and in each group of tales we find the hero, or the technical hero's rescuing friend, omnipresent, omniscient, and almost omnipotent. The essential difference between the two kinds of fiction is quite as obvious also: it lies in the fact that Scott and his followers know what history is, and that, even when they vary from it, they are aware of what they are doing.

The historical novel, as we understand it to-day, like the historical drama and like historical painting, could not come into being until after history had established itself, and after chronology and geography had lent to history their indispensable aid. Nowadays the novelist and the dramatist and the painter are conscious that people do not talk and dress and behave as they did a hundred years ago, or a thousand. They do not know precisely how the people of those days did feel and think and act: they cannot know these things. The most they can do is to study the records of the past and make a guess, the success of which depends on their equipment and insight. They accept their obligation to history and to its handmaids,—an obligation which Shakespeare and Veronese would have denied quite as frankly as the compilers of the "Gesta Romanorum" or the writers of the Romances of Chivalry. Scott was appealing to a circle of more or less sophisticated readers, any one of whom might be an antiquary: he was to be tried by a jury of his peers. But the author of "Amadis of Gaul," for example, wrote for a public that cared as little as he himself did about the actual facts of the countries or of the periods his hero traversed in search of strange adventure.

Although it is not difficult to detect here and there in Scott's predecessors the more or less fragmentary hints of which he availed himself, it would be absurd to deny that Scott is really the inventor of the historical novel, just as Poe was, afterward, the inventor of the detective story. In the "Castle of Otranto" Horace Walpole essayed to

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recall to life the Gothic period as he understood it; but—if we may judge by Mrs. Radcliffe and the rest of his immediate imitators—it was the tale of mystery he succeeded in writing and not the true historical novel. For this last, Walpole was without two things which Scott possessed abundantly; viz., the gift of story-telling and an intimate knowledge of more than one epoch of the past.

And Scott had also two other qualifications which Walpole lacked: he was a poet and he was a humorist. As it happens, the steps that led Scott to the "Waverley Novels" are not hard to count. He began by collecting the ballads of the Border; and soon he wrote new ballads in the old manner. Then he linked ballads together, and so made "Marmion" and the "Lady of the Lake." When he thought that the public was weary of his verse, he told one of these ballad-tales in prose, and so made "Waverley." But he had read Miss Edgeworth; and he wished to do for the Scottish peasant what she had done for the Irish: thus it is that the prose tales contained sketches of character at once robust and delicate. In time, when he tired of Scotch subjects, he crossed the Border; and in "Ivanhoe" he first applied to an English subject the formula he had invented for use in North Britain, helped in his handling of a mediæval theme by his recollections of the "Götz von Berlichingen" of Goethe, which he had translated in his 'prentice days. After a while he crossed the Channel, and found that the method acquired in telling the Scotch stories enabled him to write "Quentin Durward," a story of France, and the "Talisman," a story of Palestine. Although he had to forego his main advantage when he left his native land, Scott did not abandon his humor; and these later tales contain more than one memorable character, even if they reveal none so unforgettable as are a dozen or more in the Scotch stories.

Probably the immense vogue of the "Waverley Novels," as they came forth swiftly one after another in the first quarter of the nineteenth century, was due rather to the qualities they had in common with the "Castle of Otranto" than to the qualities they had in common with "Castle Rackrent." No doubt it was the union of the merits of both schools that broadened the audience to which the "Waverley Novels" appealed; but, in attaining his contemporary triumph, Scott owed more to Horace Walpole than to Maria Edgeworth. He surpassed Walpole immeasurably, because he was a man of deeper knowledge and broader sympathy. His audience was far wider than Miss Edgeworth's, because he infused into his Scottish tales a romantic

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flavor which she carefully excluded from her veracious portrayals of Irish character.

Yet it may be suggested that the stories of Scott most likely to survive the centenary of their publication and to retain readers in the first quarter of the twentieth century are perhaps those in which he best withstands the comparison with Miss Edgeworth,—the stories in which he has recorded types of Scottish character, with its mingled humor and pathos. For mere excitement our liking is eternal: but the fashion thereof is fickle; and we prefer our romantic adventures cut this way to-day and another way to-morrow. Our interest in our fellow-man subsists unchanged forever; and we take a perennial delight in the revelation of the subtleties of human nature. It is in the "Antiquary" and in the "Heart of Midlothian" that Scott is seen at his best; and it is by creating characters like *Caleb Balderstone* and *Dugald Dalgetty* and *Wandering Willie* that he has deserved to endure.

In work of this kind Scott showed himself a realist. He revealed himself as a humorist with a compassionate understanding of his fellow-creatures. He gave play to that sense of reality, which Bagehot praises as one of the most valuable of his characteristics. When he is dealing with mediæval life,—which he knew not at first-hand, as he knew his Scottish peasants, but afar off from books,—the result is unreal. He was as well read in history as any man of his time; and he himself explained his superiority over the host of imitators who encompassed him about, by saying that they read to write, while he wrote because he had read. But this knowledge was second-hand, at best: it was not like his day-in-day-out acquaintance with the men of his own time; and this is why the unreality of "Ivanhoe," for instance, is becoming more and more obvious to us. The breaking of the lances in the lists of Ashby-de-la-Zouch is to us a hollow sham, like the polite tournament at Eglinton. The deeds of daring of *Ivanhoe* and of the *Black Knight* and of *Robin Hood* still appeal to the boy in us; but they are less and less convincing to the man.

Although *Ivanhoe* and *Robin Hood* and the *Black Knight* are boldly projected figures, their psychology is summary. How could it be anything else? With all his genius, Scott was emphatically a man of his own time and of his own country, with the limitations and the prejudices of the eighteenth century and of the British Isles. Few of his warmest admirers would venture to suggest that he was as broad in his sympathy as Shakespeare, or as universal in his vision; and yet he was trying to reconstruct the past for us, in deed and feeling and thought,

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—the very thing that Shakespeare never attempted. The author of "Much Ado about Nothing" and of the "Comedy of Errors" was content to people the foreign plots he borrowed so lightly with the Elizabethans he knew so well. The author of "Ivanhoe" and of the "Talisman" made a strenuous effort to body forth the very spirit of epochs and of lands wholly unlike the spirit of the eighteenth century in the British Isles. It is a proof of Scott's genius that he came so near success; but failure was inevitable. Says Taine:—

> "After all, his characters, to whatever age he transports them, are his neighbors, canny farmers, vain lairds, gloved gentlemen, young marriageable ladies, all more or less commonplace, that is, well ordered by education and character, hundreds of miles away from the voluptuous fools of the Restoration or the heroic brutes and forcible beasts of the Middle Ages."

The fact is that no man can step off his own shadow. By no effort of the will can he thrust himself backward into the past and shed his share of the accumulations of the ages, of all the myriad accretions of thought and sentiment and knowledge, stored up in the centuries that lie between him and the time he is trying to treat. Of necessity he puts into his picture of days gone by more or less of the days in which he is living. Shakespeare frankly accepted the situation: Scott attempted the impossible. Racine wrote tragedies on Greek subjects; and he submitted to be bound by rules which he supposed to have been laid down by a great Greek critic. To the spectator who saw these plays, when they were first produced, they may have seemed Greek: but to us, two hundred years later, they seem to be perhaps the most typical product of the age of Louis XIV; and a great French critic has suggested that to bring out their full flavor they should be performed nowadays by actors wearing not the flowing draperies of Athens, but the elaborate court dress of Versailles. "Phèdre" is interesting to us to-day, not because it is Greek, but because it is French; and some of Scott's stories, hailed on their publication as faithful reproductions of mediæval manners, will doubtless have another interest, in time, as illustrations of what the beginning of the nineteenth century believed the Middle Ages to be.

Not only is it impossible for a man to get away from his own country, but it is equally impossible for him to get away from his own nationality. Has any author ever been able to create a character of a different stock from his own? Certainly all the greatest figures of fiction are compatriots of their authors. We have had many carpet-bag

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novelists of late;—men and women who go forth gayly and study a foreign country from the platform of a parlor-car;—and some of these are able to spin yarns which hold the attention of listening thousands. What the people of the foreign countries think of these superficial tales we can measure when we recall the contempt in which we Americans hold the efforts made by one and another of the British novelists to lay the scene of a story here in the United States. Dickens and Trollope and Reade were men of varied gifts, keen observers all of them; but how lamentable the spectacle when they endeavored to portray an American! Probably most American endeavors to portray an Englishman are quite as foolish in the eyes of the British. Dickens twice chose to compete with the carpet-bag novelists; and if we Americans are unwilling to see a correct picture of our life in "Martin Chuzzlewit," we may be sure that the French are as unwilling to acknowledge the "Tale of Two Cities" as an accurate portrayal of the most dramatic epoch in their history. There are those who think it was a piece of impertinence for a Londoner like Dickens to suppose that he could escape the inexorable limitations of his birth and education and hope to see Americans or Frenchmen as they really are: far finer artists than Dickens have failed in this,—artists of a far more exquisite touch.

The masterpieces of the great painters instantly declare the race to which the limner himself belonged. Rubens and Velasquez and Titian travelled and saw the world; they have left us portraits of men of many nationalities; and yet every man and woman Rubens painted seems to us Dutch, every man and woman Velasquez painted seems to us Spanish, every man and woman Titian painted seems to us Italian. The artists of our own time, for all their cosmopolitanism, are no better off; and when M. Bonnat has for sitters Americans of marked characteristics he cannot help reproducing them on canvas as though they had been reflected in a Gallic mirror. In short, a man can no more escape from his race than he can escape from his century; it is the misfortune of the historical novelist that he must try to do both.

The "Atalanta in Calydon" of Mr. Swinburne has been praised as the most Greek of all modern attempts to reproduce Greek tragedy; and it may deserve this eulogy,—but what of it? It may be the most Greek of the modern plays, but is it really Greek after all? Would not an ancient Greek have found in it many things quite incomprehensible to him? Even if it is more or less Greek, is it as Greek as the plays the Greeks themselves wrote? Why should an Englishman pride himself on having written a Greek play? At best he has but accomplished a

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feat of main strength, a *tour de force*, an exercise in literary gymnastics! A *pastiche*, a paste jewel, is not a precious possession. A Greek play written by a modern Englishman remains absolutely outside the current of contemporary literature. It is a kind of thing the Greeks never dreamed of doing; they wrote Greek plays because they were Greeks and could do nothing else; they did not imitate the literature of the Assyrians nor that of the Egyptians; they swam in the full centre of the current of their own time. If Sophocles were a modern Englishman, who can doubt that he would write English plays, with no backward glance toward Greek tragedy? The lucidity, the sobriety, the elevation of the Greeks we may borrow from them, if we can, without taking over also the mere external forms due to the accidents of their age.

Art has difficulties enough without imposing on it limitations no longer needful. "Let the dead past bury its dead,"—this has been the motto of every great artist, ancient and modern, of Dante, of Shakespeare, and of Molière. A man who has work to do in the world does not embarrass himself by using a dead language to convey his ideas. Milton's Latin verse may be as elegant as its admirers assert; but, if he had written nothing else, this page might need a foot-note to explain who he was. If a layman may venture an opinion, the use of Gothic architecture in America at the end of the nineteenth century seems an equivalent anachronism. Gothic is a dead language; and no man today in the United States uses it naturally, as he does the vernacular. One of the most accomplished of American architects recently drew attention to the fact that "such a perfect composition and exquisite design as M. Vaudremer's church of Montrouge, Paris, unquestionably the best and ablest attempt in our time to revive mediæval art, is considered cold even by his own pupils"; and then Mr. Hastings explains that "this is because it lacks the life we are living, and at the same time is without the real mediæval life." Gothic was at its finest when it was the only architecture that was known, and when it was used naturally and handled freely and unconsciously,—just as the best Greek plays were written by the Greeks.

In other words, the really trustworthy historical novels are those which were a-writing while the history was a-making. If the "Tale of Two Cities" misrepresents the Paris of 1789, the "Pickwick Papers" represents, with amazing humor and with photographic fidelity, certain aspects of the London of 1837. The one gives us what Dickens guessed about France in the preceding century; and the other tells us what he saw in England in his own time. Historical novel for historical novel,

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"Pickwick" is superior to the "Tale of Two Cities," and "Nicholas Nickleby" to "Barnaby Rudge." No historical novelist will ever be able to set before us the state of affairs in the South in the decade preceding the Civil War with the variety and the veracity of "Uncle Tom's Cabin," written in that decade. No American historian has a more minute acquaintance with the men who made the United States than Mr. Paul Leicester Ford; and yet one may venture to predict that Mr. Ford will never write a historical novel having a tithe of the historical value possessed by his suggestive study of the conditions of contemporary politics in New York city, the "Honorable Peter Sterling." Nevertheless there are few librarians bold enough to catalogue "Pickwick" and "Uncle Tom" and "Peter Sterling" under historical fiction.

One of the foremost merits of the novel, as of the drama, is that it enlarges our sympathy by increasing our knowledge of our fellow-man. It compels us to shift our point of view, and often to assume that antithetic to our custom. It forces us to see not only how the other half lives, but also how it feels, and how it thinks. We learn not merely what the author meant to teach us: we absorb, in addition, a host of things he did not know he was putting in,—things he took for granted, some of them, and things he implied as a matter of course. This unconscious richness of instruction cannot but be absent from the historical novel,—or at best it is so obscured as to be almost non-existent.

In "Anna Karénina" one can see Russian life in the end of this century as Tolstoï knows it, having beheld it with his own eyes: in "War and Peace" we have Russian life in the beginning of this century, as Tolstoï supposes it to have been, not having seen it. One is the testimony of an eyewitness: the other is given on information and belief. "Pendennis" and "The Newcomes" and "Vanity Fair"—for all that the last includes the battle of Waterloo, fought when Thackeray was but a boy—are written out of the fulness of knowledge: "Henry Esmond" is written out of the fulness of learning only. In the former there is an unconscious accuracy of reproduction; while in the latter unconsciousness is impossible. The historical novel cannot help being what the French call "voulu,"—a word that denotes both effort and artificiality. The story-teller who deals honestly with his own time achieves, without taking thought, a fidelity simply impossible to the story-teller who deals with the past, no matter how laboriously the latter may toil after it.

In fact, the more he labors, the less life is there likely to be in the

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tale he is telling: humanity is choked by archæology. It calls for no research to set forth the unending conflict of duty and desire, for example. If we examine carefully the best of the stories usually classed under historical fiction, we shall find those to be the most satisfactory in which the history is of least importance, in which it is present only as a background. The examination may lead to a subdivision of the class of historical fiction into the actual historical novel, and the novel in which history is wholly subordinate, not to say, merely incidental.

A British critic, Prof. George Saintsbury, has laid down the law that "the true historical novelist employs the reader's presumed interest in historical scene and character as an instrument to make his own work attractive." Although it would be easy to dissent from this dictum, it may be used to explain the distinction drawn in the preceding paragraph. A tale of the past is not necessarily a true historical novel: it is a true historical novel only when the historical events are woven into the texture of the story. Applying this test, we see that the "Bride of Lammermoor" is not a true historical novel; and this is perhaps the reason why it is held in high esteem by all lovers of genuine romance. By the same token, the "Scarlet Letter" is not a true historical novel.

Neither in the "Bride of Lammermoor" nor in the "Scarlet Letter" is there any reliance upon historical scene or character for attraction. Scott was narrating again a legend of an inexplicable mystery; but, although the period of its occurrence was long past when he wrote, he presented simply the characters enmeshed in the fateful adventure, and relied for the attractiveness of his story upon the inherent interest of the weird climax toward which the reader is hurried breathless under the weight of impending doom. Hawthorne was captivated by a study of conscience, the incidents of which could be brought out more conveniently and more effectively by throwing back the time of the tale into the remote past.

In another story of Scott's, not equal to the "Bride of Lammermoor" in its tragic intensity, but superb in its resolute handling of emotion, the "Heart of Midlothian," there is perhaps a stiffer infusion of actual history; but it would be rash to suggest that in its composition the author relied on historical scene or character to make his work attractive. The attraction of the "Heart of Midlothian" lies in its presentation of character at the crisis of its existence. So in the "Romola" of George Eliot, although the author obviously spent her strength in trying to transmute the annals of Florence into her nar-

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rative, the historical part is unconvincing; the episode of Savonarola is seen to be an excrescence; and what remains erect now is a wholly imaginary trinity,—the noble figure of *Romola*, the pretty womanliness of little *Tessa*, and the easy-going *Tito*, with his moral fibre slowly disintegrating under successive temptations. *Tito* is one of the great triumphs of modern fiction, not because he is a Greek of the Renascence, but because he is eternal and to be found whenever and wherever man lacks strength to resist himself.

If we were thus to go down the list of so-called historical novels, one by one, we might discover that those which were most solidly rooted in our regard and affection are to be included in the subdivision wherein history itself is only a casual framework for a searching study of human character, and that they are cherished for the very same qualities as are possessed by the great novels of modern life. Without going so far as to say that the best historical novel is that which has the least history, we may at least confess the frank inferiority of the other subdivision in which the author has been rash enough to employ historical scene and character to make his own work attractive. What gives charm and value to "Henry Esmond" is exactly what gives charm and value to "Vanity Fair,"—Thackeray's understanding of his fellow-man, his sympathetic insight into human nature, his happy faculty for dramatically revealing character by situation. Perhaps the eighteenth-century atmosphere, with which Thackeray was able to surround *Esmond* only by infinite skill, is not breathed comfortably by the most of those who enjoy the book for its manly qualities. One feels that the author has won his wager,—but at what a cost, and with what a risk!

Some logical readers of this essay may be moved to put two and two together, and to accuse the present writer of a desire to disparage the historical novel, because he has tried to show, first, that the novelists cannot reproduce in their pages the men and women of another epoch as these really thought and felt, and, second, that the novelists who have attempted historical fiction have best succeeded when they brought the fiction to the centre of the stage and left the history in the background. But to draw this conclusion would be unjust, since the writer really agrees with the views of Sainte-Beuve as expressed in a letter to Champfleury:—

"The novel is a vast field of experiment, open to all the forms of genius. It is the future epic, the only one, probably, that modern manners will hereafter justify. Let us not bind it too tightly; let us not lay down its theory too rigidly; let us not organize it."

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To point out that a historical novel is great—when it is great—because of its possession of the identical qualities that give validity to a study of modern life, is not to suggest that only the contemporary novel is legitimate. To dwell on the deficiencies of the historical novel, is not to propose that only realistic fiction be tolerated hereafter. But perhaps a due consideration of these inherent defects of the historical novel may lead the disinterested reader to confess its essential inferiority to the more authentic fiction, in which the story-teller reports on humanity as he actually sees it. And if romance is preferred to realism, romance is purest when purged of all affectation.

Genuine romance is always as delightful as shoddy romanticism is always detestable. Fantasy is ever beautiful, when it presents itself frankly as fantasy. "Undine" does not pretend to accuracy; and the "Arabian Nights" never vaunted itself as founded on the facts of Haroun-al-Raschid's career. Stevenson's romances, artistically truthful, though they contradict the vulgar facts of everyday existence,—"Markheim," for example, and "The Strange Case of Dr. Jekyll and Mr. Hyde,"—bid fair to outlive his romanticist admixtures of Scott and Dumas; and the "New Arabian Nights," with its matter-of-fact impossibility, will outweigh the "Master of Ballantrae" a dozen times over. But pure romance and frank fantasy are strangely rare; there are very few Hoffmanns and Fouqués, Poes and Stevensons in a century,—and only one Hawthorne.

Not long ago an enterprising American journalist wrote to some twoscore of the story-tellers of Great Britain and of the United States to enquire what, in their opinion, the object of the novel was. Half a dozen of the replies declared that it was "to realize life"; and the rest —an immense majority—were satisfied to say that it was "to amuse." Here we see the practitioners of the art divided in defining its purpose; and a like diversity of opinion can be detected among the vast army of novel-readers. Some think that fiction ought to be literature, and that "literature is a criticism of life." Some hold that fiction is mere story-telling,—the stringing together of adventure, the heaping up of excitement, with the wish of forgetting life as it is, of getting outside of the sorry narrowness of sordid and commonplace existence into a fairy-land of dreams where *Cinderella* always marries *Prince Charming* and where the *Haughty Sisters* always meet with their just punishment. It is to readers of this second class that the ordinary historical novel appeals with peculiar force; for it provides the drug they desire, while they can salve their conscience during this dissipation with the belief

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that they are, at the same time, improving their minds. The historical novel is aureoled with a pseudo-sanctity, in that it purports to be more instructive than a mere story: it claims—or at least the claim is made in its behalf—that it is teaching history. There are those who think that it thus adds hypocrisy to its other faults.

Bagehot—and there is no acuter critic of men and books, and none with less literary bias—Bagehot suggested that the immense popularity of "Ivanhoe" was due to the fact that "it describes the Middle Ages as we should wish them to be." This falsification characteristic of the historical novel in general is one of its chief charms in the eyes of those who like to be ravished out of themselves into an illusion of a world better than the one they, unfortunately, have to live in. "All sensible people know that the Middle Ages must have been very uncomfortable," continues Bagehot. "No one knew the abstract facts on which this conclusion rests better than Scott; but his delineation gives no general idea of the result: a thoughtless reader rises with the impression that the Middle Ages had the same elements of happiness which we have at present, and that they had fighting besides." Scott knew better, of course; but though "when aroused, he could take a distinct view of the opposing facts, he liked his own mind to rest for the most part in the same pleasing illusion." Perhaps Bagehot might have agreed with some later critics who have held that many of Scott's novels are immoral because of this falsification of historic truth,—a charge which receives no support from the "Bride of Lammermoor," for example, nor from the "Heart of Midlothian," and half a dozen other of his stories, in which Scott's strong sense of reality and his fine feeling for romance are displayed in perfect harmony. BRANDER MATTHEWS.

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THE INTERSTATE COMMERCE COMMISSION AND RATEMAKING.

On May 24, 1897, the Supreme Court of the United States, in what is known as the "Cincinnati-Chicago Freight Bureau Case," rendered a decision to the effect that the Interstate Commerce Commission has no power to prescribe maximum, minimum, or absolute rail rates which shall control in the future. This decision, as hereinafter explained, denies to the Commission the asserted power of determining the relative commercial status of cities, States, and sections, and, consequently, the power of determining the course of the commercial and industrial development of the country. It is one of the most important decisions in the annals of American jurisprudence. This is fully appreciated by the Supreme Court, which, in rendering its opinion, remarked that "the importance of the question cannot be overestimated."

At the present time the history of the inception and growth of this assumption of power by the Interstate Commerce Commission is of especial interest, in view of the fact that the Commission persists in its attempt to secure by statutory enactment that which it has been denied by the Federal judiciary upon purely legal grounds.

The Act to Regulate Commerce, approved February 4, 1887, which created the Interstate Commerce Commission, was a tentative piece of legislation. It was drawn with great care and discriminating judgment. It forbade certain abuses and evil practices which had arisen in the course of the evolution of the American railroad system. It also charged the Commission with certain clearly defined quasi-judicial and administrative functions, directed toward accomplishing the purposes of the statute. But the Act withheld from the Commission the power of prescribing rates, of determining routes among connecting lines, or of interfering in any manner whatsoever with the administrative responsibilities of the various companies, either in the management of their roads or of their traffic. Besides, by the explicit terms of Section 1, the authority of the Commission in the work of securing just and reasonable rates was confined to "a continuous traffic from one State or Territory to another State or Territory." In a word, the Act to Regu-

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late Commerce conferred upon the Commission no authority whatever to determine the relative commercial advantages of widely separated towns and cities, and, consequently, no authority to meddle with the commercial and industrial development of the United States.

In its fundamental provisions the Act was based upon the experiences of the country during a hundred years of untrammelled internal commerce. It also paid due respect to the fact that, with no check upon railroad construction and management save those of common-law requirement, the development of the national resources during a period of nearly sixty years,—mainly as the result of the facilities for railroad transportation,—had proceeded beneficially, and had exhibited a progress unparalleled in history.

At first the Commission seemed clearly to appreciate the force of the facts just stated. But, after a while, by a forced interpretation of the first paragraph of Section 3,—and, as the Supreme Court has clearly indicated, upon an utterly untenable assumption as to the "necessary implication" of the law,—the Commission jumped to the conclusion that it was endowed with a plenary power of ratemaking. If such authority had been granted to the Commission, it would inevitably have engendered sectional strife, resulting in serious political disturbances. The idea, that the Interstate Commerce Commission is capable of performing the service of ratemaking efficiently or beneficially, seems too absurd for serious consideration; and yet, in the Cincinnati-Chicago Freight Bureau Case, we behold at one and the same time an assertion of this power and its own *reductio ad absurdum*.

That the Commission should have fallen into this error seems the more strange, in view of the fact that during the first two months of its existence, namely, from April 5 to June 15, 1887, it had passed through an exceedingly instructive experience in the attempt to carry into effect an erroneous view which it had adopted as to the nature and extent of its powers under the "long and short haul" rule of Section 4 of the Act. Having complied with the request of certain companies to determine, by preliminary judgment, the legality of exceptions to that rule, the Commission was soon overwhelmed with applications the determination of which would have consumed its entire time for many years. From that dilemma it extricated itself in its admirable decision of June 15, 1887, rendered in the Louisville and Nashville Railroad Case. Referring to the utter impracticability of the whole ratemaking proposition it then said:—

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"The Commission would in effect be required to act as ratemakers for all the roads, and compelled to adjust the tariffs so as to meet the exigencies of business, while at the same time endeavoring to protect relative rates and equities of rival carriers and rival localities. This, in any considerable State, *would be an enormous task. In a country as large as ours, and with so vast a mileage of roads, it would be superhuman.* A construction of the statute which would require its performance *would render the due administration of the law altogether impracticable.*"

The Commission therefore decided that the companies should continue to exercise the right to make their own tariffs, and that, in case any person believed he was injured by such charges, he might institute proceedings before the Commission. In thus denouncing and renouncing the ratemaking power, the Commission drew itself out of a quagmire, and placed its feet squarely upon the solid ground of regulation, as prescribed in the statute.

If the Commission had succeeded in the Cincinnati-Chicago Freight Bureau Case, it would have involved itself in troubles of far greater magnitude than those from which it extricated itself by the Louisville and Nashville Railroad decision.

In July, 1887,—only three months after the Commission was organized,—in the case of Thatcher *versus* The Fitchburgh Railroad Company and Others, the Commission, speaking by Mr. Commissioner Schoonmaker, declined to fix certain rates; saying, "It is therefore impossible to fix them in this case, *even if the Commission had power to make rates generally, which it has not.* Its power in respect to rates is to determine whether those *which the roads impose* are, for any reason, in conflict with the statute."

But a change came over the spirit and the understanding of the Commission in regard to the vitally important matter of ratemaking, even to the extent of an assumption that it had the power of supervising the work of framing freight tariffs and passing upon them before they should take effect. The efforts of the Commission in this un-American and dangerous policy have been expressed in futile attempts to secure judicial powers, and, under presumed "implied powers," to secure, through the courts, the power of ratemaking. The Commission has endeavored also to induce Congress, by specific legislation, to grant to it this function.

The first public utterance of the idea, that the Commission is or should be endowed with this function, is found in an elaborate argument by Judge Cooley, chairman of the Interstate Commerce Commission, in the matter of the Chicago, St. Paul, and Kansas City Railway

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Company, decided September 19, 1888. In this "Report and Opinion of the Commission," the learned chairman declared that the terms "just and reasonable rates" in the statute imply the power to establish maximum, but not minimum, rates. Mr. Justice Brewer, however, in the recent decision of the Supreme Court, clearly exposes the illogical and contradictory nature of the opinion expressed by Judge Cooley.

In the case of Coxe Brothers & Co. *versus* The Lehigh Valley Railroad Company—complaint filed October 19, 1888, and decision rendered March 13, 1891—the Commission issued an order prescribing certain maximum rates on coal from various shipping points in Pennsylvania to Perth Amboy, New Jersey. This case was appealed to the Circuit Court for the Eastern District of Pennsylvania, which held the matter under advisement and investigation for several years. Finally, on May 11, 1896, Judge Acheson, of the Circuit Court decided that the computation of the Commission in regard to maximum rates was erroneous, and, adopting the decision of the Supreme Court of the United States in the "Social Circle Case," decided that the Commission had no power to prescribe maximum rates. This case has been further appealed to the Circuit Court of Appeals; but, in the light of the recent decision of the Supreme Court of May 24, 1897, in the Cincinnati-Chicago Freight Bureau Case, it will undoubtedly be abandoned.

An important utterance of the Commission in regard to its power of ratemaking is found in an elaborate and carefully prepared address by Judge Cooley before the Convention of State and National Railroad Commissioners held at Washington, D. C., on March 3 and 4, 1891. In this address the chairman of the Commission declared that the "railroad problem" is found in the power exercised by the companies to make rates. He recommended that this power be placed under governmental authority,—meaning of course the authority of the Commission. A few months later, in the "Orange Rate Case," decided by the Commission October 29, 1891, the Commission again boldly "stepped out" upon the experiment of ratemaking, by prescribing certain rates on oranges from points in Florida to Baltimore, Philadelphia, and New York. This case was finally decided by the Supreme Court against the Commission on May 24, 1897, by way of corollary to its decision in the Cincinnati-Chicago Freight Bureau Case.

The Senate Committee on Interstate Commerce, in presenting the bill which afterwards became the Interstate Commerce Act, clearly condemns the ratemaking assumption of the Commission. That report was written by Senator Cullom, of Illinois, chairman of the Committee.

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In my opinion, it is the ablest report on commerce ever presented by an American statesman. In speaking of the importance of uniform classifications, the report says (p. 188):—

"but the difficulty encountered has been how to provide for, or to require, uniformity without specially prescribing the classification which shall be adopted, *or without giving a commission authority to establish a classification, which would be equivalent to authorizing such commission to fix rates.*"

In treating of the impolicy of governmental ratemaking, the Committee says (p. 194), "it is questionable whether a commission or any similar body of men could successfully perform a work of such magnitude; involving, as it would, infinite labor and investigation, etc." In closing this particular subject, the Committee adds:—

"Believing that railroad rates should be established in the first instance by the railroad officials, and that any attempt to provide for their establishment by legislation would, at the best, end simply in securing a revision of the existing tariff, the Committee is convinced that the same purpose can be better accomplished, and greater advantages to the public be secured, with less friction by other methods of regulation."

The "other methods of regulation" are clearly set forth in the statute.

The Committee's views as to the general policy of the bill which it had formulated are clearly indicated in its concluding remarks:—

"The underlying purpose and aim of the measure is the prevention of these discriminations, both by declaring them unlawful and by adding to the remedies now available for securing redress and enforcing punishment, and also by requiring the greatest practicable degree of publicity as to rates, financial operations, and methods of management of the carriers."

This is regulation through publicity and action upon offences, in contradistinction to regulation through the populistic plan of prescribing rates and the relative commercial advantages which shall be enjoyed. The plan of regulation prescribed by the Senate Committee on Interstate Commerce is the antithesis of the plan adopted by the Interstate Commerce Commission, which, happily, has been condemned and absolutely annulled by the Federal judiciary.

The first positive expression of the Supreme Court of the United States upon the question, as to whether the power vested in the Interstate Commerce Commission to pass upon the reasonableness of rates does or does not imply the power to fix rates in the future, is found in the Social Circle Case, already alluded to, and which was decided on March 30, 1896; Mr. Justice Shiras delivering the opinion of the Court.

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In this opinion the Court declared that it did not find "any provision of the Act which expressly, or by necessary implication, confers such a power." But the phraseology of this decision appeared to be ambiguous: at least, the Interstate Commerce Commission, and the able counsel who represented it in after proceedings, so interpreted the decision as to make it favor their cherished views. All doubts upon the subject were however set at rest by the decision in the Cincinnati-Chicago Freight Bureau Case; Mr. Justice Brewer delivering the opinion of the Court. Thus it appears that the vitally important question, as to the power of the Commission to prescribe the rates which shall be charged on railroads, was considered by the Federal courts for nearly six years before reaching a definite conclusion. This affords ample proof of the great care bestowed upon the consideration of the subject.

The enormous interests—commercial, industrial, and political—involved in the Cincinnati-Chicago Freight Bureau Case seem to justify a brief sketch of the events which led up to it, especially in view of the fact that the Commission now seeks to gain by statute that which has been denied it by the courts upon legal grounds.

During the period from 1865 to 1875 the States south of the Ohio River and the State of Virginia, and east of the Mississippi River, designated "Southern Territory," became a field of extensive railroad construction. Lines were opened up from Cincinnati, Louisville, St. Louis, Chicago, and other Western and Northwestern cities,—together designated "Western Territory,"—into all parts of the Southern Territory, above-mentioned. By means of all-rail and rail-and-coastwise-steamer lines, traffic was also opened up between this Southern Territory and the cities of Boston, New York, Philadelphia, Baltimore, and other manufacturing and commercial towns of the Northern seaboard States designated "Eastern Territory." After a while the struggle for Southern traffic between rival lines east, west, and south lost every semblance of order, and culminated in a disastrous "rate war," destructive to the interests of transportation, and utterly demoralizing to trade. The result of this struggle demonstrated the absolute necessity for some sort of self-government among rival transportation lines, whereby competition might be subjected to the wholesome restraints of coöperation, and order be brought out of confusion. In the autumn of 1875 the duty of devising and carrying into effect an arrangement of this sort was assigned to Albert Fink, a man of preëminent ability, then filling the position of vice-president and general manager of the Louisville and Nashville Railroad. The nature of the duty devolving upon Mr. Fink

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is clearly described by him in a report to the Chief of the Division of Internal Commerce of the Treasury Department at Washington.[1] This statement may be found in the appendix to the First Annual Report of that officer, submitted June 30, 1877, and in accompanying maps Nos. 8 to 13 inclusive. Mr. Fink instituted a system of self-government among the several contestants, upon the coöperative plan: it was known as "The Southern Railway and Steamship Association." Under the benign rule of this association order was restored; and for many years the organization worked smoothly. As the result of railroad construction and of greatly improved and extended facilities of transportation, the organization has passed through several mutations; but it has always been highly beneficial to the interests of transportation and trade.

But certain cities within the range of the operations of The Southern Railway and Steamship Association became dissatisfied with the relative amount of trade which they were securing within the borders of the coveted Southern Territory. Inspired by the assumption of the Interstate Commerce Commission, that it was endowed with the function of ratemaking, and of deciding as to the relative facilities for transportation which should be enjoyed by rival cities and sections of the country, the freight bureaus of the cities of Cincinnati and Chicago, on December 26, 1891, filed separate complaints with the Commission, to the effect that the rates between Boston, New York, Philadelphia, and Baltimore in the trade with Southern Territory constituted a case of unjust discrimination against the rates from Cincinnati and Chicago to the same Territory. Without the slightest authority of law, the Interstate Commerce Commission entertained these extraordinary complaints. The two were joined in a decision which was rendered by the Commission on May 29, 1894,—nearly two and a half years after the complaints had been filed.

In this decision schedules were presented showing the rates which should thereafter prevail from Cincinnati and Chicago respectively to the principal towns in the Southern Territory. Subsequently, an order was addressed to the various railroad companies directing them, in the future, to observe the prescribed rates. The railroads having refused to comply with this order, proceedings were instituted by the Commission before the Circuit Court of the United States for the Southern District of Ohio. After a patient hearing of the complex and exceedingly involved case, the Court dismissed the bill. Thereupon an appeal

[1] The office of Chief of the Division of Internal Commerce was held at that time by the author of this article.

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was taken to the Court of Appeals, which submitted to the Supreme Court of the United States the following question, upon which the whole matter at issue turned; viz., "Had the Interstate Commerce Commission jurisdictional power to make the order?"

In reply to this inquiry the Supreme Court, on May 24, 1897, rendered its decision, above referred to, to the effect that the Interstate Commerce Commission had no such power. The particular points decided in this opinion are: First, *that the power of ratemaking does not reside in the Commission by any implication of law.* The Act to Regulate Commerce prohibits every unjust and unreasonable charge; and the duty of executing and enforcing the law devolves upon the Commission. Hence the Commission inferred that it was endowed with the authority to prescribe rates assumed to be just and reasonable. The Supreme Court clearly explains that this amounts to an assumption of legislative power, and that it is completely outside "the power to execute and enforce." By way of illustration, the Court refers to the fact that the Constitution of the United States ordains that the President "shall take care that the laws be faithfully executed," but that this does not give him the power to prescribe railroad rates. Second, it is shown by the Court that the law recognizes the authority of the companies to make, change, classify, and publish rates; and, third, that it is made the duty of the Commission, in the exercise of its executive, administrative, and quasi-judicial powers, to see that in making rates the companies do not unjustly discriminate between persons and places, that they observe all the other specific provisions of the law, and "that in all things, that equality of right, which is the great purpose of the Interstate Commerce Act, shall be secured to all shippers."

In commenting upon the proposition of the Commission that the courts shall apply the mandamus—which implies permanence—to rates, which are necessarily variable, the Supreme Court says, "Could anything be more absurd than to ask a judgment of the courts in mandamus proceedings that the defendant comply with a certain order, unless it elects not to do so?"[1] It seems strange that a commission composed

[1] This is clearly explained by the Court. The law empowers the companies to establish rates, to advance rates on ten days' notice, and to reduce rates on three days' notice. A statutory provision cannot be set aside by mandamus proceedings. Therefore if the courts should attempt by mandamus to enforce a rate ordered by the Commission, such edict of the courts would be subject to the right of any particular company to change the rate at its own discretion. The absurdity of this procedure is manifest; and the wonder is that it should have escaped the Commission.

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of lawyers should ever have entertained the idea that the mandamus is an instrument which can be beneficially applied to the regulation of a thing so capricious as the internal commerce of the United States.

With reference to the ridiculous contention of the Interstate Commerce Commission relative to its power of ratemaking, the Supreme Court adds the following elementary statement:—

> "It is one thing to inquire whether the rates which have been charged and collected are reasonable,—that is a judicial act; but it is an entirely different thing to prescribe rates which shall be charged in the future,—that is a legislative act."

The difference between correcting evils and ratemaking is the difference between punishing law-breakers for wrong-doing and directing intelligent citizens how to do right. The one is in conformity with the most stalwart Americanism; the other is undisguised governmental imperialism. The whole idea of governmental ratemaking is a part of that idealistic political heresy of the day, whose tones are expressed in the terms, Paternalism, Populism, and State Socialism. It is foreign to the genius of our government, and destructive of those policies which have been established in the interest of human liberty,—policies which have made this nation the light of the world.

The absurdity and utter uselessness of any attempt on the part of the National Government to attempt to control the development of railroad transportation are further indicated by the fact that in the course of the evolution of the American railroad system the railroad mileage of the country increased from 35,085 miles in 1865 to 181,021 miles in 1895, and that the average cost of freight transportation is now only about one-third what it was thirty years ago. Besides, wonderful improvements have been made in track equipment, and in the methods of conducting traffic. Almost innumerable facilities also have been adopted; and a system of self-government has been instituted among the railroads whereby the requirements of the Interstate Commerce Act have become entirely practicable.

The enormity of the contention of the Commission in the Cincinnati-Chicago Freight Bureau Case is indicated by the fact that the suit instituted was directed against railroads extending from the Western States and from the Ohio and Mississippi Rivers into and throughout the Southern States, railroads extending from the Northeastern States into the South-Atlantic States, railroads in the Southern States extending from Atlantic seaports to the interior, and coastwise-steamer lines connecting Northern and Southern seaports. In all, it made thirty

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railroad companies and five coastwise-steamer lines defendants to its suit. More than this, it arrayed cities and towns of the Northeastern States against cities and towns of the Western and Northwestern States; and, in terms, it attempted to adjust the relative advantage of two great sections of the country in their competition for the trade of a third section. Evidently the success of the Commission in the Cincinnati-Chicago Freight Bureau Case would have given to it the power to determine the relative commercial advantages which should be enjoyed by the various cities, States, and sections of the entire country. In a word, the Commission would have acquired the autocratic power of determining the course of the commercial and industrial development of the United States. It is a common-sense rule of general application that remedial legislation which overleaps its object, and does more harm than good, must give way to a less drastic remedy. From either the economic or the political point of view, the remedy proposed by the Interstate Commerce Commission was outrageously excessive.

One of the strangest features of the notable case here under consideration is that the two freight bureaus which instituted it invoked the power of the National Government for the purpose of advancing the commercial interests of a great and prosperous section which, during the last forty-five years,—mainly through the advantages afforded by untrammelled railroad traffic,—has realized a development in agriculture, in manufactures, in commerce, and correspondingly in population and in wealth, unparalleled in the history of the world.

It would be a waste of words to attempt to explain how strangely and outrageously the pretensions of the Commission, in the Cincinnati-Chicago Freight Bureau Case, are at variance with the fundamental principles of American liberty. A few observations, however, as to the impolicy of governmental ratemaking seem to be appropriate in this connection. If the Government should become invested with the power of ratemaking it would be saluted by innumerable demands, not only for the cure of discriminations, but also for the removal of differences in passenger rates and freight rates, however well such charges might be justified by differences of conditions. The pertinacity of these demands would be intense. It would be like unto that of the horse-leech's daughters, who continually cry, "Give, give." In the end, "horizontal" freight tariffs would level commercial cities, and enterprise become subject to political rule in the face of all the economies and equities of commerce. Such a condition of affairs would inevitably create serious political disturbances.

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Another difficulty involved in such proposed national administration of commercial affairs presents itself. The duties devolving upon the Commission are such as require a knowledge of law and of judicial procedure. Obviously, the cases in which men so equipped will also have had large practical experience in the complex and exceedingly difficult work of framing freight classifications and of adjusting rates will be exceedingly rare. Besides, the personnel of the Commission is constantly changing. Taking into account deaths, removals, and resignations, the average length of the official service of National Railroad Commissioners has been about four years only. How absurd then the idea of imposing the duty of framing classifications and establishing rates for all the railroads of the United States upon a tribunal of lawyers, not one of whom, previously to his appointment as commissioner, had had any practical experience in the art of ratemaking, or in the highly technical work of railroad-traffic management. This is an art which can be acquired only through a considerable probationary term of service, and daily business contact with men engaged in commerce and in all the productive enterprises of the country.

Again, governmental ratemaking would inevitably result in governmental ownership and control. The Convention of State and National Railroad Commissioners, held at Washington, D. C., May 28 and 29, 1890, unanimously adopted a report in which they said:—

> "An attempt by Congress to regulate the details of the operation of our railroads cannot be looked forward to by any patriotic citizen without grave apprehension. There are many reasons for believing that absolute regulation by the United States will result in absolute ownership by the United States."

Who can depict the enormity of saddling upon our National Government the political responsibilities which would attach to the ownership and control of 185,000 miles of railroad, and of placing upon the pay-rolls of the Government 1,000,000 railroad employees, which number, under national administration, would undoubtedly be enormously increased? Besides, petitions for the construction of new lines, backed by fierce political pressure, would come up from States, cities, and towns, in all parts of the country. No government officer or commission would be able to withstand this torrent of appeal, although not one in ten of such new lines might ever pay running expenses. Such a policy would probably end in the bankruptcy of the Government. The experiences of Italy, Australia, South Africa, and Canada prove the correctness of this view. Six States of the American Union, viz., Massachusetts, Pennsylvania, Michigan, Illinois, Indiana, and Georgia,

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have tried the experiment of State ownership and control, and, having failed in the attempt, have abandoned it. Italy and the States of Australia have, for the same reason, taken similar action in regard to their government railroads. In Germany, railroad ownership and control have been maintained mainly upon the ground of an assumed military necessity. This idea, however, was negatived in America during the late war, when a much more extensive railroad system, under private corporate ownership and control, was everywhere and without the slightest difficulty made subservient to military operations as extensive as any that have ever been carried on in Europe.

In a word, the policy of governmental ratemaking and of governmental railroad-building would inevitably cast upon the National Government the whole weight of responsibility for the future development of this country, with all its vast variety and intense contrariety of circumstances and conditions. Our commercial and industrial future must be evolved, not predetermined nor wrought out by governmental order or by human device, no matter how expressed.

An experience of twenty years as an officer of the Government at Washington convinces me that governmental management of the railroads is utterly incompatible with the present Constitution and the methods of the Administrative Government of the United States.

The labored effort of the Interstate Commerce Commission for years, to make it appear that the ratemaking power is essential to the success of railroad regulation under existing provisions of law, is utterly disproved by the record of its own proceedings. Upon this point, I quote the following from certain remarks which I had the honor to submit to the Senate Committee on Interstate Commerce in the year 1894:—

"In the exercise of its function of preventing unjust discriminations and exorbitant charges, the work of the Interstate Commerce Commission has been crowned with abundant success. Although several hundred complaints as to alleged violations of the Act to Regulate Commerce were made during the year ended December 1, 1893, only sixteen cases came to a formal consideration and hearing; all the rest having been settled by the mediatorial offices of the Commission. In only one of the cases decided was the reasonableness of rates called in question; and in that single instance the claim was decided to be not well founded. One of the Commissioners has informed me that only about two-thirds of the cases decided sustain the charges preferred. This indicates that the actual number of proven cases of unjust discrimination did not exceed eleven, and constitutes a most gratifying proof of the success of this non-judicial tribunal in the exercise of its appointed function. . . . I venture the assertion that no court in this country, inferior to the Supreme Court of the United States, has had so few cases appealed from its decision in a single year.

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In their last Annual Report, the Commission also declare that the administration of the Act to Regulate Commerce has been instrumental 'in enlightening the public mind and reforming the views of railroad managers.' They further declare that 'the work of regulation is continually progressing in different ways,' not only as to the successful performance of the various functions of the Commission, but also as to 'the civil and criminal proceedings in the Federal courts, and the determination of suits involving interstate commerce in State courts.' This is a most encouraging record. It is creditable to the Commission; and, besides, it fully vindicates the wisdom of those statesmen who framed and carried to a successful conclusion the present means of governmental regulation."

Since the Annual Report of the Commission was rendered in 1893 its success in the strict line of its function, as defined by the Act to Regulate Commerce, has been no less marked. The education afforded by its experiences, and the fact that it is surrounded by an able staff of well-trained officers, afford the highest presumptive evidence that this must be so. But the Commission is on record upon this point. In a communication addressed to the Committee on Interstate and Foreign Commerce of the House of Representatives, under date of January 28, 1897, the Commission declares that "there has been a marked and gratifying decrease in rate-cutting and kindred offences." Evidently it needs no autocratic power in order to perform its legitimate duties.

The Supreme Court, in its decision of May 24, 1897, alludes to the ample function of the Commission to perform the duties required of it by the Interstate Commerce Act, among which are mentioned: the duty of inquiring as to the business of railroad companies, with the right to compel full and complete information; the duty of seeing that there is no violation of the "long and short haul" rule, that there is no discrimination between persons and places over any continuous line, that there is no violation of agreed rates, and that due publicity is given of changes in rates. Besides, the Commission may at any time appeal to the courts for the enforcement of its legal and just decisions. The Commission also exercises a potential moral influence. At this age of the world, a governmental office invested with the power of converging public sentiment upon proven wrongs exercises an exceedingly dignified and exalted function. The pretence of the Commission, that it lacks the power to perform its functions, is a libel upon the law.

Since the year 1889 the Commission has, in minor cases, frequently ordered or advised the rates which should be observed in the future "for a continuous carriage"; and, from an awakened sense of justice in the minds of railroad managers, such instructions—although completely outside the requirements of the law—have been observed, and

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rates so adjusted have been maintained until changed in order to meet the requirements of changed circumstances. This is a very different thing from an autocratic authority wielded by the Commission,—either by virtue of its own powers, or through the procrustean expedient of a mandamus,—carrying with it a despotic control of the commercial and industrial development of a great country, as was attempted in the Cincinnati-Chicago Freight Bureau Case.

But the exigent question of the hour relates to the determined purpose of the Interstate Commerce Commission to gain by legislation that which it has failed to secure before the courts. This purpose is manifested by the Commission in unmistakable utterances. In its Seventh Annual Report (pp. 10, 11), may be found the following:—

> "It requires little consideration of the difficulties which these observations suggest, to be impressed with the necessity for government control over the rates and charges of railway carriers. Some authority there must be, superior to and independent of the railroads themselves, to supervise their tariffs, prevent unfair exactions, and equalize, so far as may be, the burdens of transportation. More and more, as population increases and industries multiply, will these burdens require careful scrutiny and equitable readjustment. To give each community the rightful benefits of location, to keep different commodities on an equal footing, so that each shall circulate freely and in natural volume, and to prescribe schedule rates which shall be reasonably just to both shipper and carrier, is a task of vast magnitude and importance. In the performance of that task lies the great and permanent work of public regulation. It is the manifest duty of Congress, therefore, to invest this Commission, or such other agency as may be wisely employed, with ample authority to correct ascertained excesses and enforce the observance of relative justice."

This is a clean-cut demand, not only for the power of ratemaking, but also for autocratic power to determine the commercial status of towns, cities, and sections, and generally to dictate the course of our commercial and industrial development. It is unmitigated governmental imperialism of the populistic type. The issue, fought out to a definite conclusion in the case to which this article relates, leaves no room for doubt as to the purposes of the Commission, nor as to the outcome of a plenary power of ratemaking in the hands of that body. In a letter addressed to the Committee on Interstate and Foreign Commerce of the House of Representatives, under date of January 28, 1897, the Commission in a somewhat petulant tone asks that Congress will, "in unmistakable terms," confer upon it the power of ratemaking; and, in a letter dated May 19, 1897, addressed to Hon. S. M. Cullom, chairman of the Senate Committee on Interstate Commerce, the Commission declares that its claim to the power of ratemak-

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ing "should be granted and stated in unquestionable words." Better, a thousand times, abolish the Interstate Commerce Commission, with all its potentialities for good, than confer upon it such autocratic and un-American powers. No more absurd and mischievous form of governmental imperialism can be imagined. Already the Commission has impaired its powers for good by its unceasing cry, "Strengthen the Commission." In other ways than that mentioned, it has manifested its populistic purpose of meddling with the freedom of the commerce of the country. By false conceptions of its powers, and by illusory ambitions, it has missed its most splendid opportunity for good.

At times it has seemed as though the Commission had become oblivious to the sort of political institutions under which its authority is exercised. A few years ago the Commission thought that it was invested with judicial powers, even that it was itself a branch of the judicial power in the United States. That idea was dispelled and the authority absolutely denied by the Federal courts, and refused by Congress. And now the highest court of the Federal judiciary has repelled a similar attempt by the Commission to usurp the power of determining the limits of the commercial opportunities of cities, States, and sections, and of dictating the course of the commercial and industrial development of this vast country through the power of ratemaking. An abiding faith in the intelligence of the American people, and in their unswerving purpose to maintain our cherished principles of liberty, leaves no room for doubt that it will not be until long after the present leading statesmen of the country shall have passed away, that any such power as that sought by the Commission will be granted by the Congress of the United States.

JOSEPH NIMMO, JR.

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UNCONSTITUTIONALITY OF RECENT ANTI-TRUST LEGISLATION.

THE general course of the business of the country is governed by two constant laws: First, as time goes on, the margin of profit diminishes. Second, in order that business may still be transacted without loss, its methods conform themselves to this diminution. But as it is impossible to foresee the character of the future exigency, so it is impossible to lay down rules as to the manner in which the necessary changes in business methods shall be made. It would be as easy to fix the weather by rules established in advance.

As a practical matter, therefore, it is idle to attempt to defeat, by legislation, the future effect of these natural laws of trade. Efforts to preordain the course of events have no more enduring success when made by statutes than when made in any other manner. Statutes attempting to prescribe rigid rules as to business methods are necessarily passed without knowledge of future conditions. As time goes on, they are found to be unsuited to the existing state of things; they, ultimately, prove to be in conflict with the irresistible action of the natural laws of trade; they then cease to be supported by intelligent public sentiment, and fall into disuse.

Therefore it need not be feared that the recent anti-trust legislation will seriously obstruct that constant and ready adaptation to existing and ever-varying conditions which is essential to the country's development. The statutes in question are likely to have a transient effect only, because they offend against the constitutional guarantees of liberty and property, which had their origin in *Magna Charta* and are now firmly incorporated into both National and State Constitutions. Those guarantees were established in this country for the precise purpose of preventing action by any branch of the Government to satisfy the passing clamor of the moment. In the past they have been effectual; and without doubt they will continue to be so.

The Fourteenth Amendment to the Constitution of the United States provides that no State shall "deprive any person of life, liberty, or property without due process of law, nor deny to any person within

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its jurisdiction the equal protection of the laws" (Sec. 1). Similar provisions are contained in the various State Constitutions. The courts are agreed that these provisions are not to be interpreted in a narrow or technical sense. The right to liberty does not mean merely freedom from incarceration; nor does the right to property mean merely freedom from its destruction or confiscation. These constitutional guarantees secure to every person the right to live and carry on his avocation in accordance with the dictates of his will, as well as the right to acquire, use, and dispose of such property as he may see fit. This necessarily includes freedom to make such contracts as may seem to him proper in connection with the exercise of these rights.[1]

The Legislature has no power to limit these rights, save in so far as may be required by the security and welfare of society; *i. e.*, in the exercise of the police power. If the Legislature attempts to impose such limitations, it is for the courts to determine whether the legislative action is really a valid exercise of the police power. In recognizing and enforcing these guarantees the courts of last resort are unanimous.[2]

Moreover, the constitutional guarantee of "equal protection of the laws" or "the protection of equal laws"[3] forbids the Legislature, even in matters otherwise within the scope of its powers, to make arbitrary distinctions between persons, including corporations.[4] The rule of equality, which has always been the leading principle of equity, is thus enforced upon the Legislature itself. This, too, has recently been ruled with great vigor by the highest courts.[5]

These guarantees of equal rights to liberty and property are the most fundamental and the most efficient features of the American system of protecting by written constitutions the absolute freedom of the citizen. The recent anti-trust legislation manifestly offends against these limitations of the legislative power. It will not be practicable in this article to examine in detail anything more than the statutes of New York in this regard. But these are a fair example of the general character of legislation upon the subject.

The Penal Code of New York provides that "if two or more per-

[1] *In re* Jacobs, 98 N. Y., 98; Allgeyer *vs.* Louisiana, 165 U. S., 578, 584; People *vs.* Gillson, 109 N. Y., 389, 398, 400; Forster *vs.* Scott, 136 N. Y., 577, 584; Colon *vs.* Lisk, 153 N. Y., 188.

[2] Lawton *vs.* Steele, 152 U. S., 133; Colon *vs.* Lisk, 153 N. Y., 188; People *vs.* Gillson, 109 N. Y., 398, 400; *In re* Jacobs, 98 N. Y., 98.

[3] Yick Wo *vs.* Hopkins, 118 U. S., 356.

[4] Home Ins. Co. *vs.* New York, 134 U. S., 594, 606.

[5] Gulf Co. *vs.* Ellis, 165 U. S., 150; Colon *vs.* Lisk, 153 N. Y., 188.

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sons conspire . . . to commit any act injurious . . . to trade or commerce . . . each of them is guilty of a misdemeanor" (Sec. 168). It is claimed, under this statute, that concerted action by two or more persons who may own similar commodities, for the purpose of fixing the prices of their property, is a conspiracy to commit "an act injurious to trade or commerce," and, therefore, unlawful. But, if this construction of the statute have the effect of depriving those to whom it is applied of the equal protection of the laws, it cannot be adopted by the courts; for they, equally with other branches of the State government, are inhibited from taking action having that effect.[1]

The Penal Code provides also that "the assembling or coöperation of persons employed in any calling, trade, or handicraft for the purpose of obtaining an advance in the rate of wages or compensation, or of maintaining such rate is not a conspiracy" (Secs. 170, 675). But the right of all persons to labor, in accordance with their respective wills, is no different in quality from their rights to liberty and property generally. They all depend upon the same constitutional guarantees. If, then, those having one class of property to dispose of, namely their labor, are free to assemble and coöperate for the purpose of enhancing its price, while those having other classes of property to dispose of are prohibited from doing so, obviously both the liberty and the property of the latter class of persons are subjected to burdens from which the liberty and the property of the former class are free. In that case, the latter are deprived of the "protection of equal laws." The Circuit Court of the United States for the Northern District of Texas has, indeed, just held the anti-trust act of that State unconstitutional because it attempted to make a similar exception.[2]

The important statutory provisions of the State upon this general subject are not, however, contained in these provisions of the Penal Code, but in a statute passed at the last session of the Legislature.[3] This includes various provisions regarding monopolies. The term "monopoly" has done yeoman's service in political discussion; but its scope in the field of jurisprudence is very limited. A state of facts which constitutes a monopoly in the eye of the law is exceedingly rare[4]; and these provisions add little, if anything, to the previous rules of law upon the subject.

[1] Chicago Co. *vs.* Chicago, 166 U. S., 226, 233, 234.
[2] *In re* Grice, Feb. 22, 1897, 79 Fed. Rep., 627.
[3] Laws of 1897, Chap. 383, passed May, 1897.
[4] Lough *vs.* Outerbridge, 143 N. Y., 282.

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But this statute goes much further than the subject of monopolies. It declares to be illegal and void every contract, agreement, arrangement, or combination whereby competition in this State in the supply or price of any article or commodity of common use is, or *may be*, restrained or prevented. The statute covers, therefore, not merely contracts or arrangements *for the purpose* of restraining or preventing competition, or *necessarily* having that result: its terms extend to every contract or arrangement which may *possibly* have that effect.

That these provisions are not directed especially against combinations, is shown by the fact that the most ordinary and customary contracts or arrangements *may* incidentally restrain or prevent competition, although that may be only remotely, if at all, their object. As instances, may be suggested: All organizations of mechanics engaged in the same line of business for the purpose of limiting the number of persons engaged in the business, or of maintaining high rates of wages; a covenant in a deed restricting the use of real estate; the formation of a corporation to carry on any business upon a large scale; a contract of partnership between two persons previously engaged in the same line of business; the appointment, by two producers, of the same person to sell their goods on commission; the purchase, by one wholesale merchant, of the product of two producers; the lease or purchase, by a farmer, manufacturer, or merchant, of an additional farm, manufactory, or shop; the withdrawal from business of any farmer, merchant, or manufacturer; the cessation of production of any agricultural or manufactured product, or the suspension of mining, because of lack of demand; a sale of the good-will of a business, with an agreement not to destroy its value by engaging in similar business. In fact anyone who suspends or withdraws from business, by that very act will, in some degree, restrain or prevent competition. Equally, anyone who enlarges his business will restrain or prevent competition by crowding out others. Examples might be multiplied indefinitely.

While the function of the courts has hitherto been to adjudicate as to past or present facts, under this statute they are to sit in judgment regarding future possibilities. The Act makes no claim that it has been passed to meet some requirement of the public health or welfare. As an expression of the legislative judgment concerning the manner in which private affairs are to be conducted, it baldly pronounces illegal a large number of the contracts and arrangements which have been always usual in the affairs of life, and which, in great part, give to liberty and property their substantial value. But the Legisla-

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ture has no general power to prescribe rules, dictated merely by its fancy, regarding the manner in which persons shall exercise their rights; therefore, unless the courts find that action by the Legislature in limitation of these rights is, not in form merely, but also in fact, dictated by regard for the security and welfare of society, they must hold such action to be in excess of the legislative power and, therefore, unconstitutional and void. "Where rights of property are admitted to exist, the Legislature cannot say that they shall exist no longer; nor will it make any difference, although a process and a tribunal are appointed to execute the sentence."[1] The point upon which the constitutionality of this statute must turn is, therefore, whether the fact that a contract or arrangement—whatever its purpose or character—may *possibly* restrain competition, renders it, in any degree, injurious or prejudicial to the welfare or security of society.

The decision of this crucial question presents no difficulty: it has already been settled in the negative by the highest authority. This was ruled by the Court of King's Bench also as long ago as 1711.[2] The same thing is held in numerous recent and controlling cases.

Thus, the Court of Appeals of New York has held that a contract not to pursue a specified calling is not injurious to the public interest:—

> "It is clear that public policy and the interests of society favor the utmost freedom of contract within the law, and require that business transactions should not be trammelled by unnecessary restrictions. . . If . . . there is one thing more than any other which public policy requires, it is that men of full age and competent understanding shall have the utmost liberty of contracting. . . . We suppose a party may legally purchase the trade and business of another for the very purpose of preventing competition."[3]

The same court has held that parties engaged in the same line of business may agree that the business shall be discontinued by one, in consideration of continuing money payments to be made by the other; arguing that such contracts could not be "considered objectionable on the ground that they restrained competition," and adding that it did "not think that competition is invariably a public benefaction; for it may be carried on to such a degree as to become a general evil."[4] The same court has held, further, that parties to an agreement for the purpose of supplying their necessities of a certain character may

[1] Wynehamer *vs.* People, 13 N. Y., 378, 393.
[2] Mitchel *vs.* Reynolds, 1 Peere Williams, 181.
[3] Diamond Match Co. *vs.* Roeber, 106 N.Y., 473, 482-483.
[4] Leslie *vs.* Lorillard, 110 N. Y., 519, 533, 534.

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stipulate that they will not supply those necessities to persons not parties to the agreement; saying that this is most appropriate in order to "suppress competition in such chosen field among themselves."[1] Again, the Court of Appeals has held that it is lawful, for the express purpose of driving competitors out of business, to agree that those dealing exclusively with the parties contracting shall have lower prices.[2] Still further, the same court has very recently held that the organization of working-men, for the precise purpose of obtaining an advance in the rate of wages, or compensation, or maintaining such rate, is not contrary to public policy.[3]

These authorities are stated somewhat in detail because they are recent decisions of the highest court of New York, and are, therefore, controlling as to the statute now under consideration. But the same principles are laid down also in numerous cases in the highest courts of other States, and in well-known cases in the Supreme Court of the United States,[4] and in the English House of Lords.[5] Indeed, no court of last resort has ever held that the mere fact that contracts or arrangements may *possibly* restrain or prevent competition, renders them, in any degree, prejudicial to the security or welfare of society.[6] The contrary has been ruled by overwhelming authority.

"When rights of property are admitted to exist, the Legislature cannot say they shall exist no longer."[7] It is readily apparent that, unless the fundamental guarantees of liberty and property are enforced in the future as they have been in the past, they will be worthless. All persons will hold their liberty and property as a matter of legislative favor, and not of constitutional right.

It should be observed still further that the statute attempts to declare illegal contracts made outside the State, and to prohibit within

[1] Matthews *vs.* Associated Press, 136 N. Y., 333, 341.

[2] Lough *vs.* Outerbridge, 143 N. Y., 271.

[3] Curran *vs.* Galen, 152 N. Y., 33, 36.

[4] Oregon Navigation Co. *vs.* Winsor, 20 Wallace, 64, 68, 69; Gibbs *vs.* Consolidated Gas Co., 130 U. S., 396, 409; Fowle *vs.* Park, 131 U. S., 88.

[5] Mogul Steamship Co. *vs.* McGregor, App. Cas., 1892, p. 25; Maxim Co. *vs.* Nordenfelt, App. Cas. 1894, p. 535.

[6] It seems proper to say that in the recent much-discussed case, United States *vs.* Trans-Missouri Association, 166 U. S., 290, the court confined itself to considering the meaning of the terms of the Federal Anti-trust Act. Whether Congress has the constitutional power to limit the right of freedom to make contracts, as therein attempted, was not discussed, nor decided. Moreover, the court held that, in order to bring a contract within the Act, it must appear that restraint of trade or commerce is its necessary effect.

[7] Wynehamer *vs.* People, 13 N. Y., 378, 393.

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the State action pursuant to such contracts. The Supreme Court of the United States has recently decided that such an enactment is beyond the constitutional power of the Legislature.[1] Under familiar rules, the presence in the statute of these various unconstitutional provisions vitiates the entire Act.

From another standpoint also, the procedure sought to be established by the statute radically offends against constitutional rules. The statute provides that, "for the purpose of determining whether an action or proceeding should be commenced hereunder," the Attorney-General may examine witnesses. Whenever he deems it necessary or proper to do so, he may present to any justice of the Supreme Court an application in writing for an order directing such persons as the Attorney-General may name to appear before a justice of the Supreme Court, or a referee designated in the order, and answer such relevant and material questions as may be put to them concerning any alleged illegal contract, arrangement, agreement, or combination in violation of the statute. If a referee be appointed, he is given power to rule as to the materiality and relevancy of questions, and to commit the witnesses for contempt in case of failure to answer the same. The Attorney-General may, by notice to the witnesses, require them to produce all books, papers, and documents in their possession, or under their control, relating to the subject of the examination: the depositions taken are to be signed by the witnesses and delivered to the Attorney-General. The Act thus provides for an unlimited examination by the Attorney-General into the affairs of whomsoever he may select, and for the production of whatever books or papers he may wish to inspect.

It is an elementary principle of constitutional law that the executive, legislative, and judicial branches of the government are coördinate and distinct. Neither can have power to perform functions appertaining to either of the others.[2] Upon judges, as such, no functions can be imposed except those of a judicial nature. These principles have been frequently applied when the Legislative Department has sought to impose upon the Judiciary non-judicial functions, such as taking testimony for the use or information of administrative officers.[3] It is clear

[1] Allgeyer *vs.* Louisiana, 165 U. S., 578.

[2] Kilbourn *vs.* Thompson, 103 U. S., 168, 190, 191; People *ex rel.* McDonald *vs.* Keeler, 99 N. Y., 463, 480.

[3] Hayburn's Case, 2 Dall., 409; United States *vs.* Todd, 13 How. U. S., 52; Gordon *vs.* U. S., 117 U. S., 697; Interstate Commission *vs.* Brimson, 154 U. S., 447; *In re* Pacific Railway Commission, 32 Fed. Rep., 241; People *ex rel.* Decker *vs.* Waters, 4 Misc., 1.

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that the functions sought by this Act to be imposed upon the justices of the Supreme Court are of that character. The Attorney-General takes the testimony "for the purpose of determining whether an action or proceeding should be commenced hereunder." But the courts do not exist, and the justices do not hold office, for the purpose of aiding a possible litigant in determining whether an action should be commenced. A determination of that character by a public officer is a mere administrative act. The function of the courts is to determine actions and proceedings which have been in fact begun. Under the present statute the justice makes no determination upon any subject: the Attorney-General does that. The justice of the Supreme Court acts merely in an ancillary and advisory capacity in aiding the Attorney-General to make up his mind. This, clearly, is not an exercise of judicial power, and, therefore, is not a function which can be imposed upon or exercised by the justices of the Supreme Court. In the first proceeding instituted under this statute, Mr. Justice Chester, of the Supreme Court, has held the Act unconstitutional for the reason just stated.

The provisions requiring witnesses to submit to examination are unconstitutional also because they deprive of liberty, without due process of law, persons to whom they apply. The statute is penal in its character. The title of the Act includes, among its objects, penalties for violations of its provisions; and severe penalties are, in fact, prescribed for such violations.

The question is, whether the Legislature can, for the purpose of enforcing a penal statute, confer upon an administrative officer power to subject a citizen to a general inquiry into his private affairs. It is well settled that the constitutional guarantees of liberty contained in both Federal and State Constitutions forbid the Legislative Department itself to take such action. It has no power to investigate, save with reference to prospective legislation, or upon questions concerning its own membership. Still less, naturally, can the Legislative Department confer any power of general investigation upon mere administrative officers. These rules are thus stated by the Supreme Court of the United States in a recent well-known case:—

"Neither branch of the Legislative Department, still less any merely administrative body established by Congress, possesses or can be invested with a general power of making inquiry into the private affairs of a citizen. . . . Of all the rights of a citizen, few are of greater importance or more essential to his peace and happiness than the right of personal security; and that involves not merely protection of his person from assault, but exemption of his private affairs, books,

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and papers from the inspection and scrutiny of others. Without the enjoyment of this right, all others would lose half their value."[1]

Again, one of the provisions of the Act is that no person "shall be excused from answering any questions that may be put to him on the ground that it may tend to convict him of a violation of the provisions of this Act." The statute thus seeks to withdraw from witnesses the right to decline to answer questions upon the ground that the answers may subject them to prosecution. It is clear that this provision violates the constitutional provision, that no person shall be compelled in any criminal case to be a witness against himself.[2] Apparently, an attempt to avoid this result has been made in the Act, by providing that the testimony of a witness shall not be given in evidence against him in any criminal action or proceeding. It is, however, now held by controlling authority that a witness cannot be compelled to testify to facts showing a violation of law upon his part, unless absolute immunity from prosecution regarding the subject-matter as to which he testifies is secured to him.[3] Further, the statute requiring the production of books and papers for the purpose of enforcing a penalty or forfeiture, also violates the constitutional provision, that no person shall be compelled in any criminal case to be a witness against himself.[4] Upon this ground also, the Act has recently been held unconstitutional by Mr. Justice Chester.

In still other respects, these provisions as to procedure offend against constitutional rules. These features generally constitute a novel attempt to ignore the limitations upon absolute power,—by whomsoever sought to be exercised,—which the Anglo-Saxon race has established as the result of centuries of effort, and which, in this country, at least, have become fundamental and universal guarantees of the rights of the person. In accordance therewith the Constitution of New York[5] provides in terms that no one shall be tried for crime unless on presentment or indictment of a grand jury. Proceedings upon the "information" of the prosecutor have no place in Anglo-Saxon jurisprudence, except in preliminary examinations before a magistrate, where the accused is advised of the nature of the charge, is entitled to counsel, can make or refrain from making his own state-

[1] Interstate Commerce Commission *vs.* Brimson, 154 U. S., 447, 478, 479.

[2] Constitution of New York, Art. 1, Sec. 6.

[3] Counselman *vs.* Hitchcock, 142 U. S., 547; People *ex rel.* Taylor *vs.* Forbes, 143 N. Y., 219, 229.

[4] Boyd *vs.* United States, 116 U. S., 616,

[5] Art. 1, Sec. 6.

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ment, and where bail or commitment to await the action of the grand jury is the only result.

On the continent of Europe, indeed, the King's Inquest—in which the grand jury originated—was travestied, on the one hand, into the canonical Inquisition,[1] and, on the other, into the *Enquête Préliminaire* of the civil law. As is well known, in the latter proceeding the magistrate is permitted in his secret chamber to browbeat and intimidate a suspected person, who is not allowed counsel, who is entrapped into false admissions of guilt, and is frequently convicted by natural inconsistencies in his statement.[2] But this procedure has proved so oppressive that even now the French *Corps Législatif* is enacting measures to ameliorate these preliminary inquisitions in important respects, among which is the establishment of the right of the party under examination to the aid of counsel.

This statute of the State of New York indeed seeks to revert to inquisitional methods which have been abandoned in Anglo-Saxon countries, and to transform the Attorney-General into a *juge d' instruction.* The language of the Supreme Court of the United States fitly characterizes the attempt:—

> "Any compulsory discovery, by extorting the party's oath, or compelling the production of his private books and papers, to convict him of crime or to forfeit his property, is contrary to the principles of a free government. It is abhorrent to the instincts of an Englishman; it is abhorrent to the instincts of an American. It may suit the purposes of despotic power; but it cannot abide the pure atmosphere of political liberty and personal freedom."[3]

It is surmised that these anti-trust statutes are passed in the interest of some classes of the community as opposed to others. Thus, the exigencies of political declamation give rise to much talk about the existence of distinct classes in the community, and their favorable or unfavorable treatment by legislation. But this has no relation to the actual state of things. Since the enactment of the great constitutional amendment which embodies the results of the Rebellion, there have been no classes in the eye of the law: all persons are guaranteed "the equal protection of the law . . . the protection of equal laws."[4] Sooner or later, these statutes, like all efforts to undermine this constitutional guarantee of equality before the law, must give way. As stated at the outset, they are merely efforts to obstruct the march of events, which is

[1] POLLOCK & MAITLAND'S "History of English Law," p. 654.
[2] LIEBER'S "Civil Liberty," 3d ed., pp. 451–457.
[3] Boyd *vs.* United States, 116 U. S., 616, 631, 632.
[4] Yick Wo *vs.* Hopkins, 118 U. S., 356.

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always controlled by the working of natural, not statute, laws. To have value and efficiency, statutes must be based upon the wisdom of experience. But experience has shown that the development of this country has been due to the freedom of all persons to live and pursue their avocations as the necessities of the time seemed to require. As the Court of Appeals of New York has lately said:—

"Our government was established by the people for their own protection and welfare. Their policy was to foster and protect individual industry and enterprise. To such policy we owe our advancement as a nation; and to such we must look for our future prosperity." [1]

Civilization has resulted mainly from voluntary union of the unorganized efforts of individuals, and their harmonious direction to accomplishment of the same ends. This lies at the base of all social and material progress. The present great aggregations of capital and labor, working harmoniously for the same purposes, are merely one illustration of this principle upon which civilization itself depends. And it is idle to speak of them as furnishing any evidence of the existence of distinct classes in the community. They consist of thousands of individuals,—some interested merely in capital, others merely in labor, and many in both. For anyone who so desires is at liberty to become an owner of capital.

The true interests of both labor and capital are served not by those who talk about them, but by those who furnish them with profitable employment. The great aggregations of capital, whatever may be their form, are the great employers of labor. And wherever there may be found a large union of capital and labor, the revenue produced goes principally to paying wages to a great number of employees, and only secondarily to paying dividends and interest upon the capital invested. This is illustrated by figures recently published regarding the Delaware and Hudson Canal Company. In the year 1896, the total amount paid out by the Company for labor was $9,189,084. The number of employees among whom this sum was divided was 18,500. In the past five years the Company has paid out to its employees the total sum of $44,041,687. The capital stock of the Company, on the other hand, consists of $35,000,000, divided among 4,335 holders, and its outstanding bonds amount to $5,000,000, in the hands of 400 holders. Thus, the total capital in the business is $40,000,000, owned by 4,735 individuals; and the average interest of each is $8,447.80. In the year 1896, the total payments for interest and dividends upon this capital amounted

[1] Sun Assn. *vs.* Mayor, 152 N. Y., 257, 272, 273.

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to $2,800,000. In the past five years the total payments to stock and bondholders for dividends and interest have amounted to $14,051,590. In that period, therefore, the Company has paid for labor more than three times as much as it has paid for the use of capital. Indeed, it has paid for labor a sum more than $4,000,000 greater than the principal of the entire capital invested in the business. During the present year, the expenditure of the Company for wages will be approximately $9,250,000, divided among 18,500 persons; while its payments for interest and dividends upon capital will be $2,100,000 divided among 4,750 persons. The average sum paid to each person contributing labor, therefore, will be about $500; while the average amount paid to each person contributing capital will be about $440. These figures are a fair example of the ordinary state of things, save that the returns to the owners of the capital invested are not infrequently smaller in proportion to the payments to employees.

As these aggregations of capital are also the largest and the steadiest employers of labor, all classes are deeply interested in their continued success. That success must depend upon their ability to conform to the requirements of the natural laws of trade, and to carry on their business with reference to conditions which vary from time to time. This is essential, not merely to their prosperity, but to the security and welfare of society as well. DAVID WILLCOX.

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IS THE CUBAN CAPABLE OF SELF-GOVERNMENT?

It is alleged by Spain that the Cubans, now struggling for liberty, are not worthy of its blessings, nor fitted to govern themselves. In Æsop's time an aged serpent might thus have argued against the rescue of a healthy youth held captive in its coils.

It is not love for the soil of Cuba, its colonial institutions, and its people, nor interest in the intellectual and moral welfare of the Cubans, that causes Spain to continue the desperate effort she is making to retain her rebellious subjects in political slavery. The Spanish government, by its refusal to provide schools, has shown its indifference to the mental improvement of the colonists: by its failure to punish or curb the rapacious and brutal acts of its officials, it has demonstrated its purpose to prevent its subjects from enjoying the fruits of their brains, industry, and skill.

In her rule of four hundred years Spain has done nothing to develop Cuba. It is true that education was made compulsory by the Law of 1880, and that the Budget for 1894 appropriated $137,760 for educational purposes. The difference between law and fact, frequently observable in Spanish countries, obtains in this instance. No part of the school money is expended on any grade of common schools; the municipalities being supposed to pay school expenses. The proportion of children attending the common schools is 1 to 45 of the population,—as with few exceptions, the Cubans teach their children at home or in private institutions at their own expense,—and, if those receiving instruction in public institutions of higher grade be included, the ratio is 1 to 40. In Spain the proportion is 1 to 9; in the United States, 1 to 5.

During the last twenty-five years not one foot of highroad has been constructed in Cuba, nor one yard added to the telegraph lines; and the harbor of Havana has been so neglected that its accumulated filth causes a yearly epidemic of yellow fever, and constitutes a menace to the health of the United States. The Cubans are taxed every year to the extent of $25,000,000 to $30,000,000, of which $700,000 is appropriated for internal improvements. One half of the appropriation is

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paid to officials for salaries; and I think it would be safe to say that fully a quarter of the remainder is stolen.

The administration of Spain has obstructed progress, thwarted reforms, and prevented the industrial growth, by restrictive taxation. If the Cubans are barbarians, fond of political anarchy, and incapable of living like civilized people, Spain alone is responsible. She has neither aided them to improve, nor set them a good example in her management of public affairs in the mother-country or on the island. Her own history as a monarchy, and that of her children who have attempted self-government, excite more mistrust as to the outcome of Cuban independence than the record of her insular descendants who have not yet had an opportunity to show how well they can shape their own destiny.

It is their Spanish blood that is feared by the thinking and sympathetic Americans who are watching the efforts of the Cubans to establish a republic. Its tendency to make the ruler of the hour a despot, and its ignorant possessors content with national stagnation, and its ferocity when a new tyrant, ambitious for power and riches, stirs them to fraternal strife, are well known. For these reasons, the aid, which would otherwise be extended to the Cubans, is withheld by our people, who realize that to maintain a government of, for, and by the people requires a high order of intelligence, submission to law, and reverence of civil authority. The conviction that these qualities reside in the Cuban would long since have caused the American people to interfere, in the interest of human liberty and human progress, between Spain and her colony. But the people of the United States do not desire the establishment, close to their shores, of another republic, in which frequent revolutions may disturb their peace, and make less profitable their trade and commerce.

Spain has assured the world that the Cubans cannot govern themselves. She predicts, in their success, another negro republic. In thus representing to the nations of the earth that the independence of her colonists would mean a relapse into barbarism, constant revolutions, and a loss to civilization, Spain both condemns herself and pleads for her own salvation. Cuban revenues are the life-blood of Spain. The Spanish people, loyal, patient, and proud of their country's martial glory in the dim past,—which is still bright to them,—cannot endure heavier burdens of taxation, nor submit to greater drafts upon their patriotism. They have gladly poured out their savings, that Spain might live; they have freely given their lives, that the national ter-

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ritory of their beloved country might be held intact. In spite of the patriotism, self-denial, submission, and suffering of the common people, Spain has gradually lost one rich colony after another, through insurrections caused by the inordinate greed of officials sent to govern them, and by the refusal of the more intelligent colonists to be robbed and persecuted by these mercenary servants of the Crown. Cuba—a small fraction of what was once possessed by Spain on this hemisphere—is the last colony thus to revolt. Its triumph will be far more serious to the Spanish nation than were the losses of all its South-American dependencies early in the century. Then Spain was rich: to-day she is bankrupt. Her debt is enormous and pressing; her expenses are far beyond home revenues; her resources are mortgaged; her people, impoverished by taxation and on the verge of revolution. If Cuba should be lost, and the Spanish people should be asked to supply its vanished revenues, the latter would certainly rise against those who have kept them in want in order to support an extravagant and impotent monarchy; and they might declare themselves in favor of popular government. The contention of Spain, that the Cubans—after Spain's long and vicious reign—are not fit to govern themselves, is, therefore, at this juncture entitled to very little consideration. It is to the Cubans themselves that we must look for evidence.

The failure of many Spanish-American republics to maintain a steady and permanent government has been due largely to religious fanaticism. Spain herself has always needed an iron hand. Buckle, in his "History of Civilization," argues that the submission of the Spanish to church and king is the great vice of that people. Neither of these influences is powerful in Cuba. The Cubans are extremely liberal in religious matters. Freemasonry has had a wonderful growth; and the children of the island are taught to be tolerant of all beliefs. Religion does not enter into the present struggle, nor has it ever caused disturbance in Cuba.

There is no love of king or royalty in the Cuban heart. The aim of all the revolutions in which the Cubans have been engaged has been to establish democratic institutions. The Cuban is not to be found in the ranks of those who, in other Spanish-American republics, seek to reëstablish the rule of kings, or to enthrone a dictator upon the ruins of a popular government. In other countries once possessed by Spain, the various provinces speak different languages: they have not welded. This is not true of Cuba. It has one language and one history: it is homogeneous. Cuba is more national in spirit than is Spain itself.

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The disturbances in Spanish-American republics are, to some extent, due to topographical conditions, a diversified population, a want of knowledge of and experience in republican institutions, and church influence upon the management of the state. A country, thinly populated, and with no means of communication or community of interest between sections separated by wide rivers and unbroken forests, is prone to disturbance when suddenly emancipated. The chief of each department considers himself a power; jealousy arises between the different provinces; and the ambitious men of the sea-coast readily go to war with those of the interior towns. Such struggles are not likely to occur in Cuba, the country being long and narrow, and successive revolutions against a common foe having brought the people of the different provinces into close touch with each other. Railways have united the interior towns of importance to the ports; and coastwise steamers unify the interests of the different sections. The building of railways and the establishment of steamboat lines have done much to discourage revolutionists in countries where they once flourished. Mexico, by this means, has prevented many rebellions, and secured peace. Federal forces can be quickly concentrated by rail at points remote from the capital. With Cuba free, the scattered lines of railway running up and down the island would soon be connected into an iron backbone, with branches or ribs reaching from one end of the country to the other, and gridironing its sides. A revolution could then be easily quelled. Had the Spaniards constructed such a railway, the present war would have been of short duration.

In San Domingo, Venezuela, and other Central-American republics, the heterogeneous populations have been led to uprisings by petty chiefs; and unrest and failure to maintain constitutional law have frequently resulted. This is not so likely to occur in a country where, as in Cuba, the race has been kept pure. The census of 1887 shows that 61 per cent of the population of that island is pure white, and that 39 per cent includes people of all shades of color. This predominance of the whites has made Chili, the Argentine Republic, and Costa Rica the best governed of the free countries of South America. In Cuba the colored element is even more peaceful and law-abiding than in those lands or in the United States. Considering its environment, it has made greater strides toward culture; and it has poets, musicians, journalists, lawyers, and military men, whose fame has passed beyond the limits of their native island.

In the event of independence, there is little danger of a race war in

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Cuba. The revolution of 1868 made the relations of the races cordial; and to-day they are united against Spain. There is not in Cuba an inert mass of Indians, as in Mexico and all Central America, where, except in Costa Rica, Bolivia, and Venezuela, they are worse than slaves. The supremacy of the negro element in Cuba is impossible. It has occurred in San Domingo and Haiti, because in the former the population is almost entirely negro, and in the latter, only about one-sixth is white. It would not be the Cuban negro's disposition to struggle for control. During the revolutionary history of Cuba no low motives have been evinced by the colored men: they have demanded from the whites only justice and equal political rights. There is no province in which the negroes have a majority; and the census shows that their number is diminishing.

With Cuba free, the fertility of the island would attract thousands of people from the United States who, would develop its resources and make stable its government.

Many of the Cubans have studied and lived under republican institutions. In the first quarter of the century the banishment of the native began. In 1828 Spain was alarmed at the ideas of liberty and republicanism which the Cuban young men were obtaining abroad, and, by a royal decree, ordered them to return to the island. The present revolution caused thousands of Cubans to fly to the United States, as did the outbreaks of 1848, 1851, 1868. They saw the benefits of, and practised, self-government. The return of a large percentage of these students of democracy had an important influence upon the character of the Cuban people. Schools were started on the American plan; the Constitution of the United States was taught to the children; the history of the American people was instilled into the youth; and the fathers and mothers of the race prayed daily for the time when Cuba should be free and independent, like the United States.

The Cubans have more of a practical and less of a theoretical idea of a republic than other Spanish Americans. With them liberty is not a mere literary notion. They have been fighting and preparing themselves for it for many years. They have increased in intelligence, grown fond of culture, and worked hard to prepare themselves for liberty, which they are determined shall be theirs. Their revolutions prove that they are peaceful. During the intervening years, the Cubans, in the hope of obtaining liberty by law, have waited patiently. Having exhausted peaceful means, they have again appealed to arms. They are not cruel: their treatment of prisoners shows this. In slav-

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ery days the Cuban proprietors proved their kindness to the oppressed; the slaves fought side by side with their masters in 1868; and the descendants of both are fighting to-day as one people.

The love of the Cuban for law and order is manifest. The movement in 1848 had its civil *junta*. In the revolution of 1868, the first things done—as soon as the provinces rebelled—were the establishment of an assembly, the drafting of a republican constitution, and the election of a president and state officials. The military organization was straightway made subservient to the civil power. For two years the constitution was in force. Gen. Quezada attempted to make himself dictator, and was promptly deposed. Gen. Gomez was deprived of his command before the whole army for disobeying an order of President Céspedes; and the army promptly recognized the supreme authority of the civil power. When President Céspedes himself tried to enlarge his authority beyond constitutional limits, and there was fear of his becoming dictator, Congress interfered, and deposed the "father of his country"; and the people cried "Well done!" This revolution, from its very inception, was conducted by the people, through their constitutionally elected representatives.

The Cuban revolutionary party to-day is based on the rule of the majority. Its officers are elected by ballot; and its military arm submits to civil control. The elections have just been held in accordance with the constitution adopted at the outbreak of the revolution, when the present officers were chosen by ballot.

If the history of the Cubans on the island shows that the civil power is paramount with them, and that their respect for civil law is greater than their love of military glory, their record abroad demonstrates still more clearly their peaceful inclination, their ability to govern themselves, and their fitness for independence. After the Ten Years' War the leaders and many soldiers, going into exile, became workers with their hands and brains. The building up of the American municipalities of Key West, Tampa, West Tampa, and Ybor City is due to them. These cities are hives of industry. Crime is little known in them; and a Cuban tramp is never seen. In Key West the Cubans control the city. Cuban mayors have been elected, and have governed well. It is such an orderly, progressive, and industrious community that an arrest is rare. For two years Fernando Figueredo, a Cuban, was mayor of West Tampa; and he is now president of the city council. This city of 4,000 people is a Cuban colony composed of former residents of Key West. An English word is seldom heard in the

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streets. The clerk, treasurer, assessor, collector, marshal, and three-fourths of the council are Cubans. For a year the city was unincorporated. Even then, when there was no local government, its record was admirable. As a Cuban expressed it, "The respect of the community ran the city."

West Tampa now has a perfect municipal government, under which there have been erected creditable public buildings, including a graded high-school nine-tenths of whose pupils are Cubans. It has also a primary and an intermediate school, which are largely attended by Cuban boys and girls; and there are at least twenty private schools maintained by wage-earning Cuban parents who are determined that each of their children shall be specially taught. There is one bar-room in the city. The three policemen have little to do. During the last two years the arrests have numbered less than fifty; and of these, five only were of Cubans. The city is extremely moral. No crime of great seriousness has been committed there; and street brawls and disputes are infrequent. Politically the Cuban residents are divided into Republicans and Democrats. A large proportion of them are naturalized American citizens; and they take intense interest in all elections. They contribute liberally to moral and educational projects, and devote attention to improving the commercial and trade interests of their city. The Board of Trade is composed largely of Cubans, and is an active and intelligent body. The three newspapers published in the city by Cubans are well supported.

Even a better record for the Cuban, so far as his ability to govern himself is concerned, is furnished by the statistics of Tampa. Mayor M. E. Gillett wrote me recently as follows:—

"I frequently hold court, in the absence of the judge, and have had a great deal to do with the enforcement of law and order. In all the time that I have held office I have had but one or two Cubans brought before me for crimes of any kind; and those were minor offences. I consider the Cuban an orderly, law-abiding citizen. He drinks wine, but not liquor. It is an uncommon thing to see an intoxicated Cuban. They are very attentive to education. The schools here are filled with their children. I think the impression of most people who are well acquainted with the race is, that the Cubans are excitable by nature, and very much like children in matters of government. Perhaps it would not be well to entirely turn into their hands all state and municipal matters. Yet, if this responsibility were thrust upon them, they might be able to assume it, and conduct everything satisfactorily. However that might be, I doubt not that, if they attain their freedom in Cuba, leaders can be found who are capable of competently governing a republic, and of controlling disturbing elements at all times."

Ybor City is a part of Tampa. Its population is a mixture of

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Americans, Spaniards, Italians, and Cubans. Its record is not so good as that of the cities where the Cuban has practically undisputed control. But even here the Cuban, while in the majority in the census, figures far less often in the police court than the Spaniard, the Italian, or the American.

The history of these Cuban-American cities shows clearly that the first thing done by the Cubans, when opportunity offered, on free soil was to establish schools for their children, and that the next was the creation of local governments in accordance with the civil laws of their adopted country. The statistics from these cities show that, as regards morality and respect for human law, their citizens compare favorably with those of cities of like size anywhere in the United States.

In the public schools of New York there are hundreds of Cubans; and they abound in the colleges and universities of the whole country. This is true of Europe also. In American politics the Cubans are making headway. There are three in the Florida legislature; and many hold office in several of the Southern cities and States. Severino Heredia, a native of Matanzas, was once mayor of Paris; his cousin, José Maria de Heredia, was elected in 1894 to a seat in the French Academy. Suñer, a Cuban, is a distinguished dramatist of Italy. In nearly every capital of Europe, Cubans can be found occupying prominent positions as chemists, physicians, jurists, and professors of music. In the United States the names of Cubans are known to students of history and general literature. The natives of the island have here become eminent specialists in pathology, and rank high as civil engineers. Dr. Guiteras, Luis Mantilla, Aniceto Menocal, Ignacio Varona, Emilio Agramonte, Rafael Navarro, and Francisco Sellen are a few of the many Cubans famous in their respective professions. In Mexico, and other Spanish-American countries, Cubans have been members of national congresses, and prominent in the diplomatic and judicial departments. They are at the head of the leading industries and of the commercial companies and banking institutions of Spanish America. They have also constructed railroads and public works in many countries.

It may seem strange that, with this record, the Cuban has not been able to work out his own salvation at home by his brains, industry, and natural diplomacy. The explanation is that, while he has been given some voice in the local government, there has been kept over him a captain-general, clothed with such unlimited power, that it has been impossible for a native to disregard his will, or progress beyond the limits

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set by his edicts. On March 28, 1825, a royal decree was issued at Madrid, giving to the captain-general

"the most complete and unbounded power not only to send away from the island any persons in office, whatever their occupation, rank, class, or condition, whose conduct, public or private, may alarm you, replacing them with persons faithful to his Majesty, and deserving of all the confidence of your Excellency, but also to suspend the execution of any order whatsoever, or any general provision made concerning any branch of the Administration as your Excellency might think most suitable to the royal service."

This decree has never been revoked, and is still in full force. It is the law by which the Cuban people are ruled to-day; and no brilliancy of intellect, no honesty of purpose, no craving for liberty, no ability to govern, can prevail against it.

The Spaniards themselves have more than once given testimony to the varied talents, amiable disposition, and many virtues of the Cuban people. General Vargas once said: "I know of no people so easy to govern as the Cubans. Treat them courteously and kindly, and let them go unmolested about their business; do not interfere with their amusements; and you can do with them almost anything you like." A more recent witness in favor of the Cuban is the Colonial Office at Madrid, which recently issued a pamphlet, widely circulated by the Spanish Legation at Washington, entitled "Spanish Rule in Cuba." The pamphlet was written to make it clear that the Cubans have nothing to complain about, and that the law deprives them of no right to hold public office under Spanish rule. From the Spanish point of view, it proves that the natives are ingrates, and utterly lost to all sense of appreciation of the beneficent rule which Spain exercises over them. It goes further. It shows that the Cuban is not the ignorant, turbulent, half-civilized being that the pamphlet declares him to be when the question of his self-government is forced upon the minds of the American people by the heroic efforts he has made to free himself. Under the caption, "Cubans in High Office in Spain," the pamphlet gives a list of six Cubans who have been ministers to colonies, or held office as under-secretary of the Province of Madrid, vice-president of the chamber of deputies, etc. It is mentioned that in the diplomatic service there are a number of Cubans, and that one of them represented Spain in Mexico. Then follows a long list of employees of the colonial civil service, which contains the names of many natives of Cuba. It is said that "in the Post-office Department one-half of the total number of officials are Cubans." The pamphlet continues:—

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"The Department of Education may be said to be in the hands of the Cubans. The director of the University of Havana, the vice-rector, the secretary-general, the deans of all the faculties, and the directors of the Botanic Gardens are Cubans. Of the eighty professors of the University sixty are Cubans. The director and eight other professors of the School of Technology are Cubans. Of the three instructors of the School of Painting and Sculpture only one is a native of the Peninsula, the director being a Cuban. The total number of professors of all the institutes of the island is fifty-eight, and of that number thirty-five are Cubans.

In the Department of Justice of the island nearly all the offices of lower rank are held by natives: with extremely rare exception, the municipal judges and district attorneys are Cubans. . . . Of forty-one justices of the Supreme Court, ten are Cubans; of twenty-four judges of the Court of Criminal Appeal, seven are Cubans; of thirty-six District Court judges (*de termino*), twelve are Cubans; of forty-four District Court judges (*de ascenso*), thirteen are Cubans; of sixty-two District Court judges (*de entrada*), twenty-three are Cubans; and in the Philippine Islands seven Cubans hold judicial offices. There are therefore in the judicial profession in the colonial provinces seventy-eight natives of those provinces; that is to say, thirty per cent of the total."

This is Spanish testimony as to what the Cubans can do under the most despotic and discouraging conditions. They have not done better, because they have not had more opportunities. They have, however, progressed so much, and have given such strong manifestations of the qualities necessary to successful self-government, that even the so-called loyal Spaniards in Cuba do not look with real apprehension upon the rainbow of Cuban promise that is slowly arching itself over the war-racked isle. They would much prefer annexation to the United States to submission to Cuban domination; but they would welcome either rather than the continuance of the rule of Spain, which they privately acknowledge cannot be maintained without continual revolution and bloodshed. The Spaniards in the island know that in the near future *Cuba must and will be free.* The prospect need not alarm those Americans who fear the establishment at our door of another republic like San Domingo or Haiti; for the better class of Spaniards upon the island will, when victory perches upon the Cuban banner, join hands with the more intelligent of that race, and give form, stability, and permanence to the new republic.

The Cubans cannot rule their country as badly as the Spaniards have ruled it. Their readiness to absorb and make use of knowledge, their admiration for the United States, as shown in their adopted constitution, and their love of peace, liberty, and progress, augur well for the rapid advancement of their country in material prosperity under the flag of a true republic, vigilantly maintained.

THOMAS GOLD ALVORD, JR.

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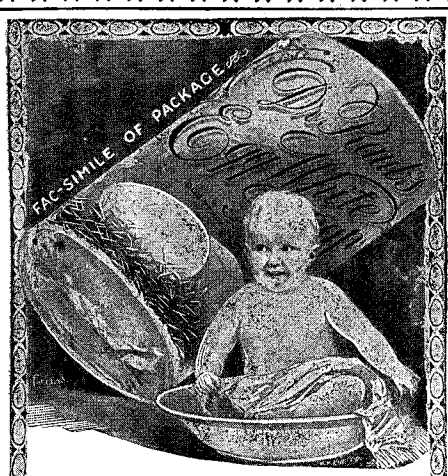

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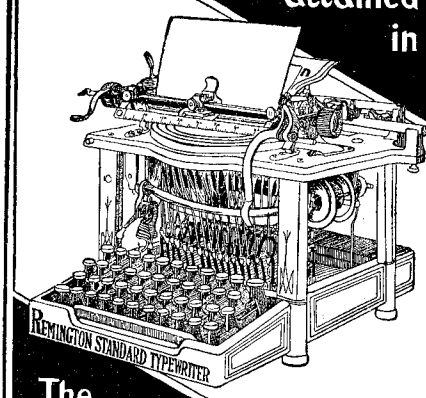

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WRITERS IN THE SEPTEMBER FORUM.

MR. THOMAS GOLD ALVORD, Jr., was born in Syracuse, N. Y. Last January Mr. Alvord visited Cuba for the purpose of studying the situation, and travelled all over the island. His article, "Why Spain has Failed in Cuba," in the July FORUM, has attracted considerable attention.

PROF. WILLIAM HEALEY DALL, born in Boston in 1845, was educated at the Boston public schools, and became a special pupil in natural sciences under Louis Agassiz. As lieutenant of the International Telegraph Expedition, Mr. Dall visited Alaska in 1865–68, and in 1871–74 and again in 1884 as assistant to the United States Coast Survey; his work including—besides the exploration and the description of the geography—the anthropology, natural history, and geology of the Alaskan and adjacent regions. In May last Prof. Dall was elected a member of the National Academy of Sciences. He is Paleontologist to the United States Geological Survey, and Professor of Paleontology in the Wagner Institute of Science, Philadelphia.

PROF. THOMAS DAVIDSON, born in Scotland, in 1840, came to America in 1866. He is a writer of wide repute.

MR. SAMUEL GOMPERS, president of the American Federation of Labor, was born in London in 1850, and at ten years of age was employed in a factory. In 1863 Mr. Gompers came to America, and joined the International Cigar-Makers' Union. He became active in that body, and as a delegate to the early conventions of the American Federation of Labor was recognized as a natural leader, intrusted with various offices, and soon with the presidency.

MR. MURAT HALSTEAD, born in Southwestern Ohio in 1829, was graduated at Farmers' College, Cincinnati, in 1851. He became connected with Cincinnati newspapers the same year, and has been a public writer ever since. Mr. Halstead is editor of the Brooklyn "Standard-Union."

HON. HILARY A. HERBERT, Secretary of the Navy in the Cleveland Administration, was born in South Carolina, and educated at the Universities of Alabama and Virginia. Entered the Confederate army, a young man, in 1861; rose to be a colonel; and was disabled at the Wilderness in 1864. Became a successful lawyer. First elected to Congress in 1877; and was successively reëlected till 1892, when he declined reëlection. Served on several committees, and was chairman of the Naval Committee. Was devoted to the interests of the navy. Is now applying himself earnestly to the practice of the law in Washington.

PROF. BRANDER MATTHEWS, born at New Orleans, La., in 1852, was graduated from Columbia College in 1871, and in 1892 was appointed to the chair of literature in that college. Prof. Matthews is the author of several works of criticism and fiction and of several dramatic compositions.

DR. JOSEPH NIMMO, JR., born at Huntington, Long Island, N. Y., was graduated from the New York University in 1853, which conferred upon him the degree of LL.D. in 1894. Practised as civil engineer till 1865. From that year till 1885 held several offices under the National Government; was secretary of the Senate Committee on Transportation, and Chief of Division of Internal Commerce. Dr. Nimmo has written extensively on commercial and economic questions.

HON. JOHN R. PROCTER, was born in Kentucky in 1844. In 1864 he left the University of Pennsylvania (where he was taking the scientific course) to enter the Southern army. He is now president of the United States Civil Service Commission.

MISS EDITH PARKER THOMSON, born in Brooklyn, N. Y. was graduated from Wellesley College in 1892. She received the degree of Master of Arts from the New York University in 1895, and was graduated from the Woman's Law Class of that University in 1897.

MR. DAVID WILLCOX, born at Flatbush, L. I., in 1849, was graduated from Yale College in 1872, and from the Columbia Law School in 1874. Mr. Willcox, who is now a member of the firm of Opdyke, Willcox, & Bristow, has for some years held the position of general counsel to the Delaware and Hudson Canal Company.

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DIRECTORY OF ASSOCIATE ATTORNEYS.

Arranged alphabetically, according to states, and giving address by town and county.

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MOBILE—Fielding Vaughan, 63 St. Francis St.

Arizona.

CABOT, LONOKE—James F. Black.
TEMPE, MARICOPA—W. J. Kingsbury.

Arkansas.

LONOKE, LONOKE—J. E. Gatewood, Sr.
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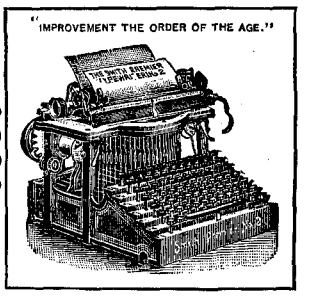

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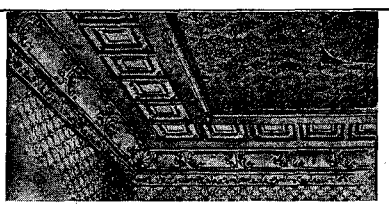

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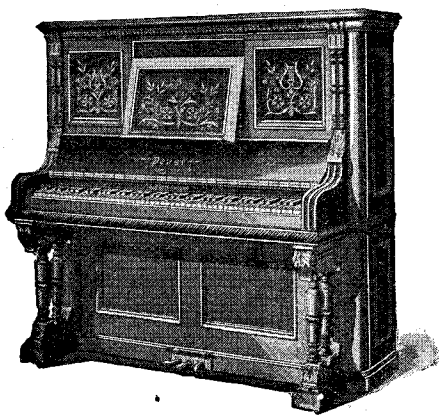

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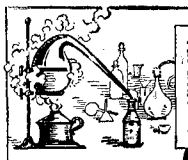

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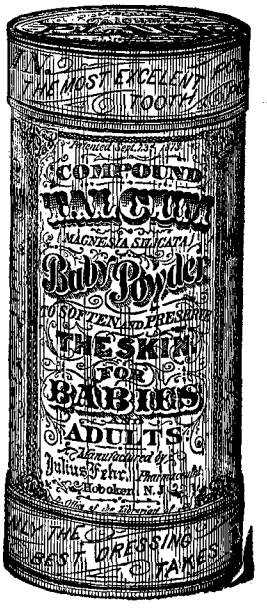

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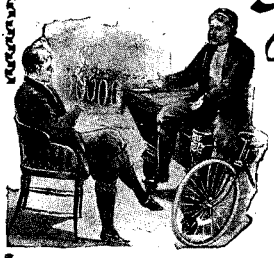
In order to introduce our goods we make the following offer, good for the next thirty days only. Upon receipt of $4.50 we will send to any reader of FORUM one case of wine containing twelve bottles, all first-class and put up in elegant style, assorted, as follows:

1 quart bottle { Grand Imperial Sec Champagne.
1 quart bottle Delaware.
1 quart bottle Reisling.
1 quart bottle Tokay.
1 quart bottle Sweet Catawba.
1 quart bottle Sherry.
1 quart bottle Non-Alcoholic.
1 quart bottle Elvira.
1 quart bottle Niagara.
1 quart bottle Angelica.
1 quart bottle Port.
1 quart bottle Sweet Isabella.

This offer is made mainly to introduce our ***Grand Imperial Sec Champagne***, and our ***Non-Alcoholic Unfermented Wine.*** This case of wine is offered at about ⅓ its actual cost, and it will please us if our friends and patrons will take advantage of this, and help us introduce our goods.

YOU CANNOT BRAG

about your cycling achievements unless a . . . .



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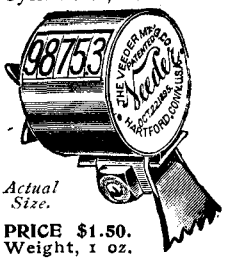
is on your Wheel.....

The Veeder has banished all other forms of Cyclometer, and its success has aroused imitations that resemble it only in appearance. Be sure your purchase bears the name that assures perfection—

VEEDER.



Actual Size.

PRICE $1.50.
Weight, 1 oz.

DUST-PROOF.
WATER-PROOF.
POSITIVELY ACCURATE.
AT ALL DEALERS.
Booklet Free.

VEEDER MFG. CO., Hartford, Conn.

AT COASTING.

The Stearns is always in front. Its reputation as a light, easy-running wheel has been gained by the winning of contests innumerable on race track and hill.

Made throughout with extreme care, without an excess ounce anywhere; with balls as fine as machinery can make, bearings as true as steel can be turned—these are the secrets of the ease of running which has made the Stearns noted.

E. C. Stearns & Company, Makers
SYRACUSE, N. Y.

TORONTO, ONT. BUFFALO, N. Y.
SAN FRANCISCO, CAL.

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Whiskey That is All Whiskey

Direct from Distillery.

We sell pure whiskey direct to consumers at distillers' prices, and have done it for 30 years. It is the product of our own distillery, and we know it to be the best whiskey sold for medicine or sideboard purposes. Our plan of selling direct is the only way to guard against adulteration, and to save dealers' monstrous profits. We have tens of thousands of customers who never buy elsewhere, but ten times as many ought to share these advantages. To let new customers know what we offer we make the following proposal.

We will send the first gallon of **Hayner's Seven Year Old Double Copper Distilled Rye for $3.20,** express prepaid anywhere. Whiskey of this quality cannot be obtained elsewhere at $5.00 per gallon. If our whiskey is not satisfactory, return it at our expense. We ship in plain packages—no marks to indicate contents. Try a sample gallon at our risk of pleasing you. Correspondence solicited. **HAYNER DISTILLING CO., 241 to 47 West Fifth St., Dayton, Ohio.**

References—Third Nat'l Bank, Dayton, O., or any Commercial Agency.

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Delicious Arnica Tooth Soap,

Delightfully cleansing, cooling and refreshing. Keeps the teeth white and beautiful and preserves them from decay. Antiseptic, it destroys all germs. Thirty years on the market. Try this peerless dentifrice. 25c. all druggists or by mail. **C. H. Strong & Co., Chicago.**

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Great English Remedy for

GOUT and RHEUMATISM.

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Druggists, or 224 William St., New York.

Send your name for a Souvenir of the Works of Eugene Field,

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The most beautiful Art Production of the century. **"A small bunch of the most fragrant of blossoms gathered from the broad acres of Eugene Field's Farm of Love."** Contains a selection of the most beautiful of the poems of Eugene Field. Handsomely illustrated by thirty-five of the world's greatest artists as their contribution to the Monument Fund. **But for the noble contributions of the great artists this book could not have been manufactured for $7.00.** For sale at book stores, or sent prepaid on receipt of $1.10. The love offering to the Child's Poet Laureate, published by the Committee to create a fund to build the Monument and to care for the family of the beloved poet.

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Iridium Pointed 14-k. Pen—Handsomely Chased Hard Rubber Holder—No Defects. Every Point a Point of Perfection. No better working pen made at any price.

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LAST YEAR. PERHAPS YOU WILL NOT THIS YEAR.

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which can be had in any style, and a variety of fabrics suited to every taste, with or without collars or embroidery.

YOUR DEALER WILL SUPPLY YOU WITH THESE GUARANTEED GOODS. ◈ ◈ ◈

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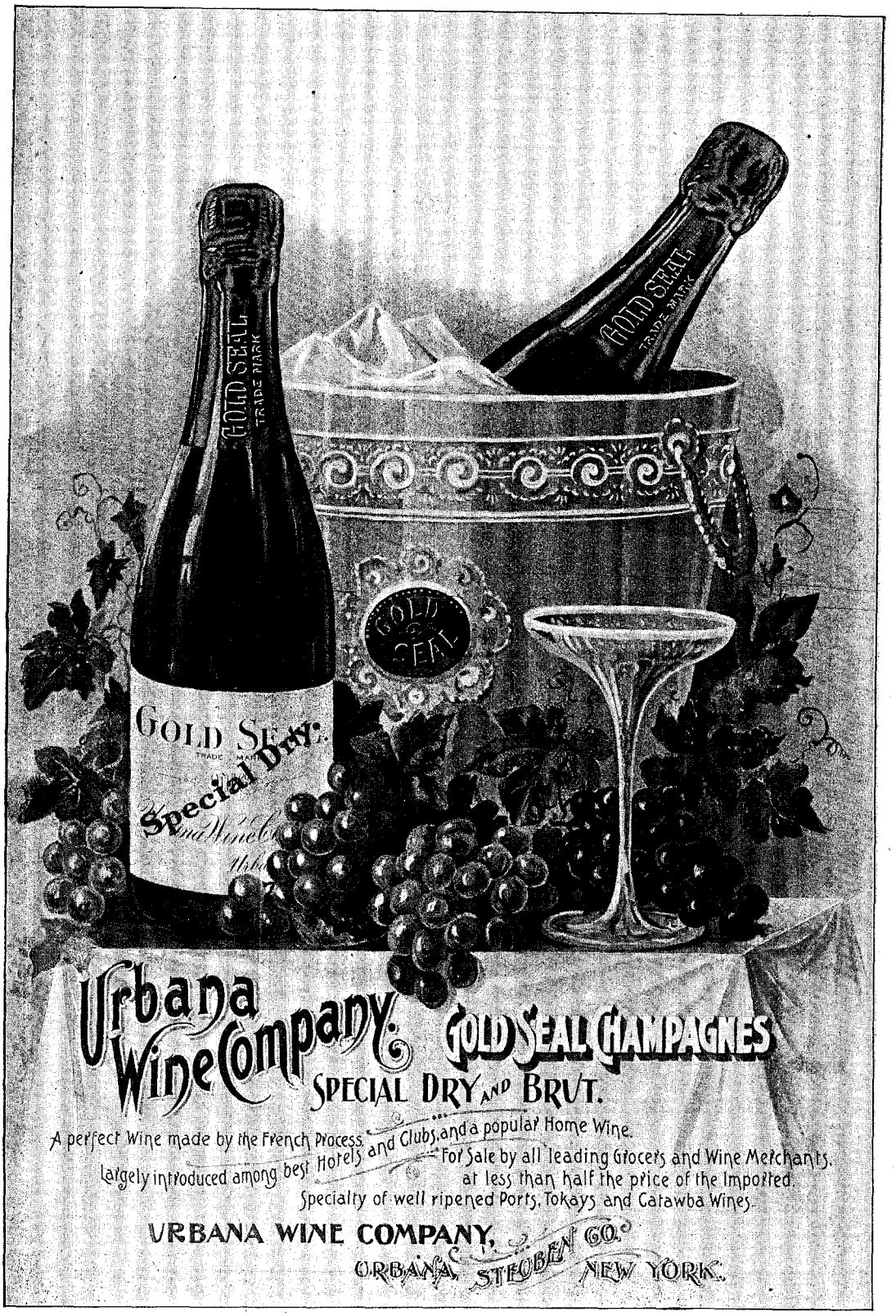

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LIKE A GREAT SEA OF FOAM IS ITS CREAMY LATHER

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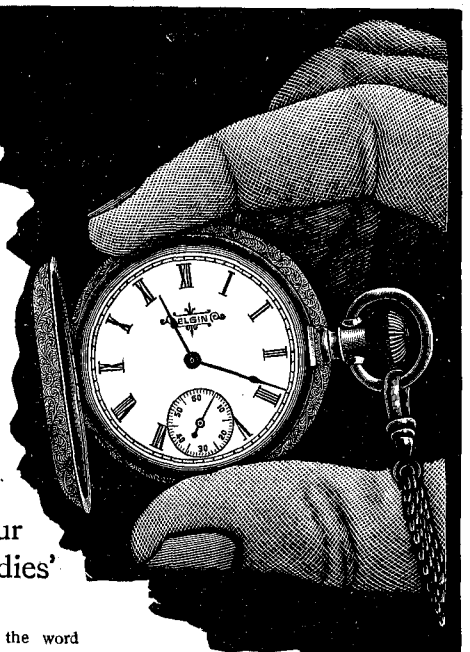

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Where Catarrh, Bronchitis and Consumption are Unknown.

"HYOMEI" Nature's Own Remedy

It creates the same conditions in the atmosphere of your home as found in that distant land. The first and only treatment for diseases of the respiratory organs ever endorsed by the medical profession.

Physicians have found in **"Hyomei"** the only germicide which kills the bacilli of Catarrh, Bronchitis, Asthma and Consumption. They have also discovered that the **Australian Dry Air Treatment** is the only way by which all the diseased parts of the head, throat and lungs, can be reached and cured. So positive of this have they become that not *one* physician in good standing in medical society can be found to-day who will advertise to treat these diseases by the old methods—sprays, douches, atomizers or steam vapors—*all such treatments* being considered worthless, as moisture of any kind cannot enter the bronchial tubes or lungs. Not only this, they have proved positively dangerous, as nine out of every ten persons who suffer from deafness and loss of sense of taste and smell, can trace the beginning of these afflictions to the time when they commenced the use of such barbarous methods of treating the delicate air passages.

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It is **Nature's own remedy. Taken** with the **air you breathe,** it reaches **all** the parts affected, killing the disease germs of **Catarrh, Catarrhal Deafness, Coughs, Bronchitis, Asthma, Rose Cold and Hay Fever** at once, and bringing such relief to the sufferer as can be obtained in no other way.

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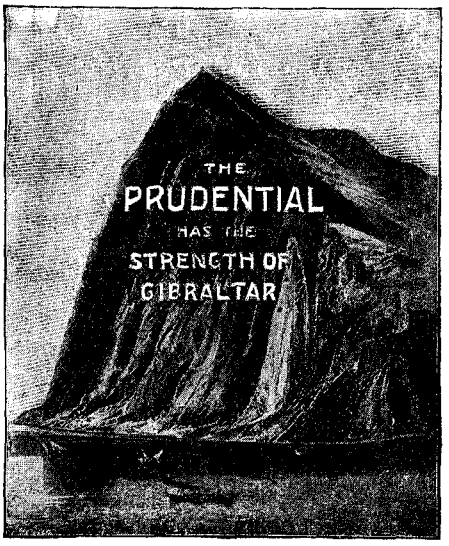

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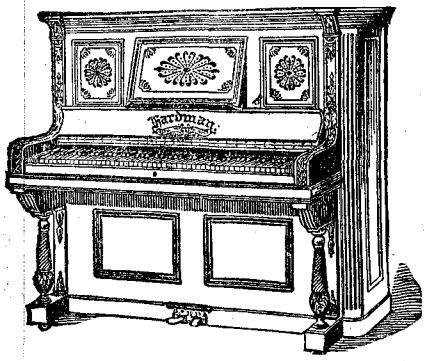

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Write for the New Illustrated Catalogue (postpaid). Prices and terms to suit the times.

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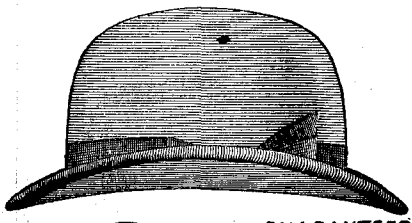

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OPERA AND SILK HATS, $6.00
The World Over.

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